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From: Greater Cleveland Partnership

Sent: Monday, February 13, 2017 5:46 PM

To: Rep93

Subject: Addressing the challenges of recruitment and talent development; CMSD, teachers union reach tentative agreement

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News

Addressing the challenges of recruitment and talent development

Workforce continues to be an area of challenge for Northeast Ohio employers.

Businesses are seeking skilled workers who are reliable, have on-the-job experience and are committed to growing with the company.

At the same time, college students in the region are learning that in today's competitive market, real-world experience is crucial to landing a job and advancing their careers.

The second annual Cleveland Internship Summit, presented by the Greater Cleveland Partnership (GCP) last week at the Embassy Suites in Independence, helped further the conversation around these workforce challenges and provided best practices in recruitment and talent development.

We thank our sponsors and presenters for their support and involvement in making the event a tremendous success.

Next steps

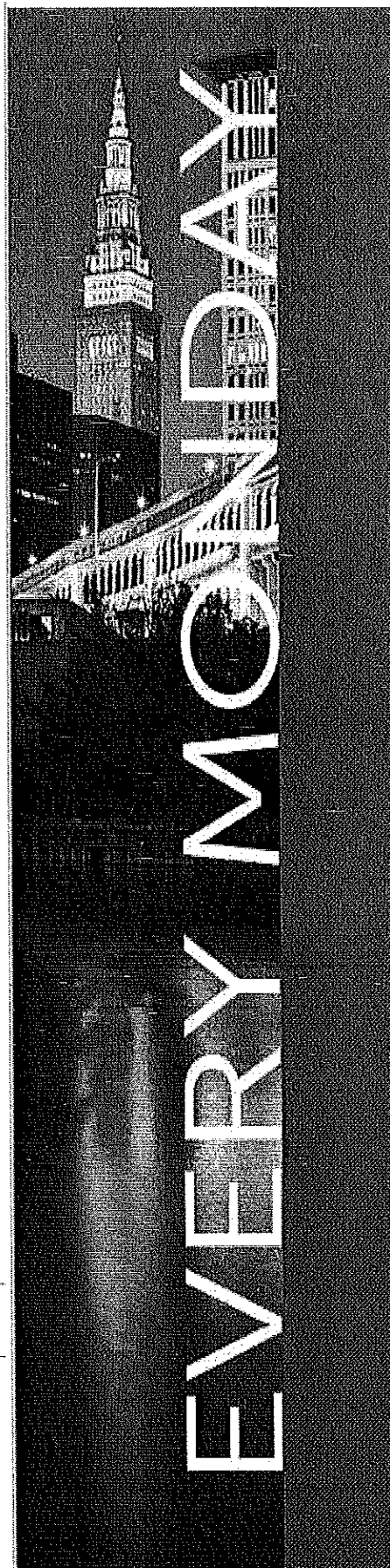
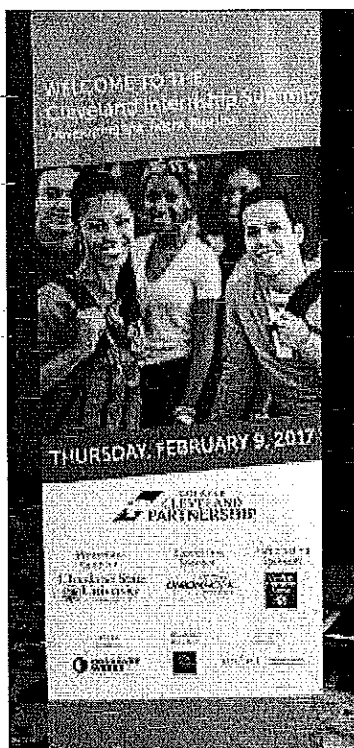
This will include working with employers and educational institutions represented at the summit to add additional resources to GCP Internship Central.

If you are an employer looking for assistance in growing, managing or starting an internship program or need assistance connecting with interns, please contact Angela Finding at afinding@gcpartnership.com.

For those who would like to reference information shared at the Summit, we will be adding the expert presentations and podcasts to our website in the coming weeks.

See stories below for summit highlights.

CMSD, teachers union reach tentative contract agreement



The Cleveland Teachers Union (CTU) and the Cleveland Metropolitan School District (CMSD) have reached a Tentative Agreement for a Collective Bargaining Agreement.

An earlier agreement, reached on August 30, 2016, was rejected by union members in September, requiring a return to the bargaining table this year to resume bargaining for a contract both sides could accept.

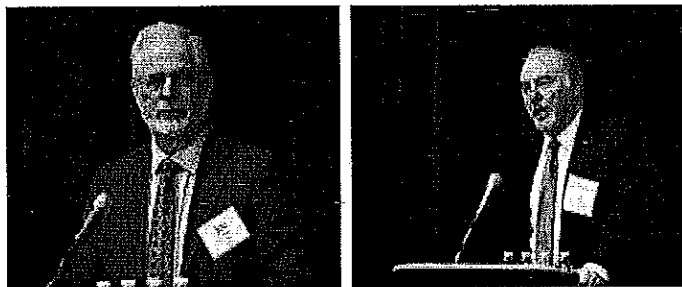
The GCP had urged action that would support the efforts of The Cleveland Plan to transform the delivery and expectations of education in Cleveland's public schools.

"This tentative agreement comes at a critical time when The Cleveland Plan is beginning to reverse decades of decline and deliver measurable improvement," said GCP President and CEO Joe Roman.

Once details are available, we will share an assessment of how the agreement furthers the tenants of The Cleveland Plan as supported by the GCP.

[Read more.](#)

Cleveland Internship Summit highlights



GCP President and CEO Joe Roman (photo left) and Dr. Ronald Berkman (photo right), president of Cleveland State University, the Summit's presenting sponsor, welcomed more than 200 attendees from the business and education communities. The program featured:

Keynote speaker

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Events

02.17.17 "Managing Intercultural Conflict in the Workplace? D

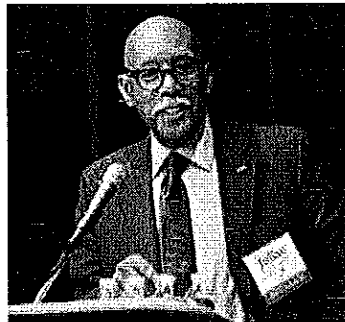
Damaris Patterson Price, a leadership consultant, executive coach and facilitator, will be the presenter.



Program objectives include providing the business case for workplace civility as a business driver and why HR managers need to be capable of addressing intercultural conflict.

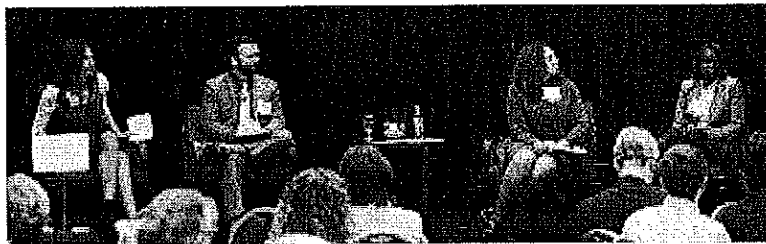
Presented by:

Julian Earls, Ph.D., former director of the NASA Glenn Research Center and executive-in-residence, Cleveland State University, emphasized the importance of home-grown internships to encourage students from the region to build their careers here.



He also encouraged students to use their internship experiences as an opportunity to expand their education, which is "more than classroom and laboratories."

"Learn from the Pros"



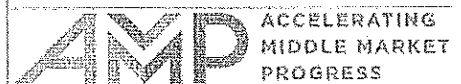
The morning plenary session featured a panel with local employers who discussed how they have engaged interns and other best practices for running a successful program. Our panelists (left to right in photo):

- Laura Mizer, Director of Marketing, Good Karma Brands
- Stephen Love, Program Officer, Cleveland Foundation
- Sygi Berman, Human Capital Acquisition Manager, The Sherwin-Williams Company, moderator
- Terrance Richardson, Program Manager, Louis Stokes Internship Program, Cleveland Clinic

"From Intern to Anchor"



**CLEVELAND
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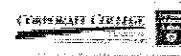


05.11.17 Greater Cleveland Middle-Market Forum

Our annual forum will offer insightful and informative presentations on hot topics that are impacting Northeast Ohio middle-market companies.

We'll also provide plenty of opportunities to network with more than 200 Northeast Ohio middle-market executives and decisions makers.

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06.07.17 GCP Annual Meeting

Please mark your calendar and plan to join more than 1,100 business and community leaders on Wednesday, June 7 from 4:30

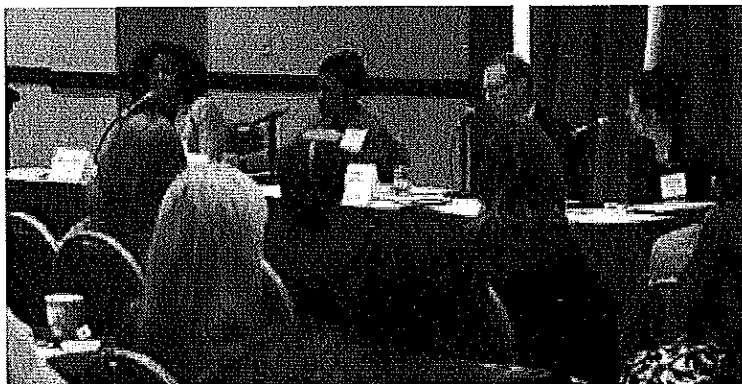


The lunch plenary session was a conversation with Sara Shookman, co-anchor, WKYC Channel 3, led by GCP President Joe Roman.

Sara shared her intern experiences and how they helped launch her career in broadcast journalism.

Breakout sessions for employers

"The School/Business Partnership: Explaining the Value of All Experiential Learning Opportunities"



Our panelists (left to right in photo) discussed how educators and businesses are teaming up to create partnerships that provide students with real-world work experiences.

- Katrina Myers, Director, Academies of Cleveland, Cleveland Metropolitan School District, moderator
- Stacy Johnson, Manager, External Education, The MetroHealth System
- Michael Sheppard, Superintendent, Berea Schools
- Jessica Colombi, Executive Director, Career Services, Cleveland State University

to 7:30 p.m. at the Hilton Cleveland Downtown.

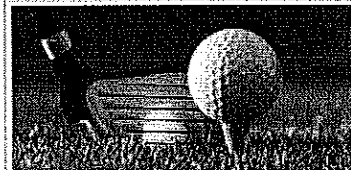
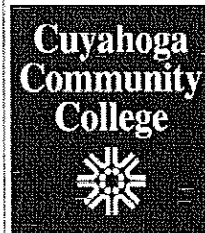
The program will feature an update on our priorities, a preview of the projects and initiatives that we will embark upon as a part of our new strategic plan, and more.

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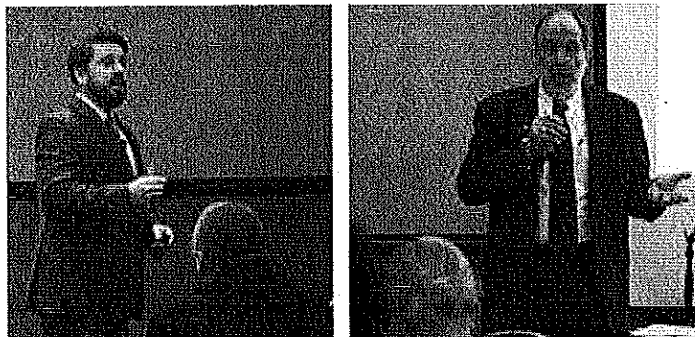
07.24.17 GCP Member Golf Outing

We're planning a full day from 11 a.m. to 7:30 p.m. that will include lunch, lots of golf and dinner at Kirtland Country Club in Willoughby.

Presenting Sponsor

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"The Legal Aspects of Internships: Legal Issues Employers Should Know" and "Diversity & Inclusion in Internships"

James McWeeney, attorney, Walter Haverfield LLP (photo left), provided answers to legal questions about internship programs that employers need to know.

Gary Szelagowski, assistant vice president, talent management, Federal Reserve Bank of Cleveland (photo right), discussed how to ensure that your internship program is diverse and how to use your internship program as a tool for sourcing diverse talent.



"Career Readiness: Are Today's Students Ready for the Workforce?"

Attendees at this session heard from representatives of local employers who provided their perspectives on talent development, training, and correcting behaviors in their internship programs.

The panelists are (left to right):

- Amy McMullen, University Relations Lead, The Lincoln Electric Company
- Peter Anagnostos, VP, Marketing, Communications and Community Outreach, MCPc
- Ashley Rivera, Campus Recruiting Manager, Union Home Mortgage

03.01.17 Intellectual Property Webinar

This one-hour webinar, presented by NEOTEC/Northeast Ohio Trade & Economic Consortium, will feature expert patent attorneys who will discuss how to protect your patents and trade secrets, proper use and registration of trademarks, and new developments in trade secrets.

Internal Partners



cose

ohTec

- Sandra McKnight, Executive Director, Access, Learning & Success, Cuyahoga Community College, moderator

Breakout sessions for students

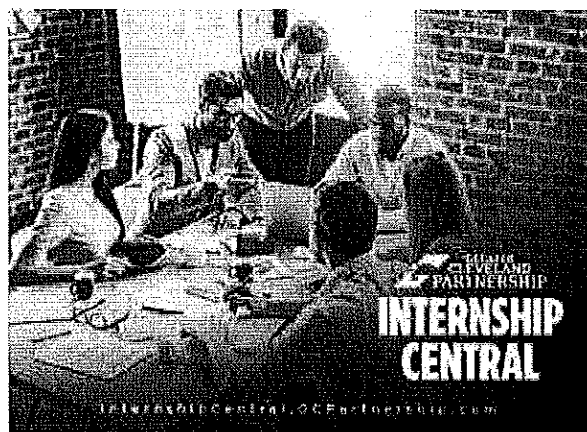


"Your Personal Brand" and "The Intern Experience from the Intern's Perspective"

Andy Halco, CEO of Insivia (photo left), provided tips on building a positive personal brand and how to use it to get an employer's attention.

"The Intern Experience" panelists shared tips and experience to help fellow students make the most out of their internship. The panelists are (left to right):

- Angela Finding, Director, Education and Workforce Development, Greater Cleveland Partnership, moderator
- Samuel Braun, Development Associate, Neighborhood Family Practice
- Khalid Ali, Program Coordinator, Neighborhood Leadership Institute
- Allie Dumski, Ohio House of Representatives



Connect With Us!



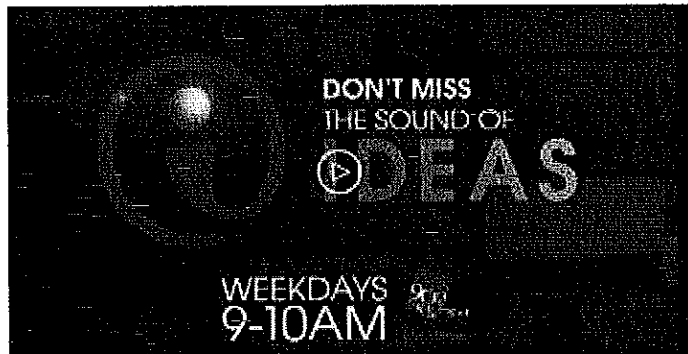
Forward to a Colleague >>>>

Where to access internship resources

The Cleveland Internship Summit is one component of the Greater Cleveland Partnership's Internship Central portfolio of resources to assist both employers and students who are trying to manage their internship experiences.

GCP Internship Central was created to be a "one-stop shop" for employers and students who recognize the value of internships and other out-of-school learning experiences but need some aid navigating through the process.

Visit our blog at InternshipCentral.GCPartnership.com where you'll find information on how to start an internship program, manage internships, experiential best practices and much more.



In case you missed it: Internship Summit media coverage

Prior to the event, "The Sound of Ideas" on 90.3 WCPN featured a segment about the Greater Cleveland Partnership's Internship Central initiative and the Internship Summit with:

- Shana Marbury, Vice President of Strategic Initiatives, Greater Cleveland Partnership
- Jessica Colombi, Director, Career Services, Cleveland State University
- Samuel Braun, Development Associate, Neighborhood Family Practice
- Nneka Maceo, Cleveland State University Graduate, Former Intern

Click to listen.

As part of ideastream's "Listening Project," several summit participants were interviewed during the event.

[Click to listen.](#)



Input needed on a potential new talent offering for our members

Talent is one of the largest issues that businesses face. Both attracting and retaining a qualified workforce is a top priority.

One specific piece of the talent equation—dual-career families—is sometimes a challenge to the success of employee relocations to a new market.

The Greater Cleveland Partnership is working to determine if there is value for our members in a potential new service—a Dual Career Network—for dual-career families and “trailing spouses.”

The network would help the spouses/partners of relocated employees with their local job search. Members of the network would host networking events with recruiters from GCP-member companies.

Join our focus group discussion

The GCP is convening a focus group around the Dual Career Network concept on **Wednesday, February 22** from 8:30 to 10:30 a.m. at the GCP offices, 1240 Huron Road East in Playhouse Square. It is open to our member-company CEOs and/or VPs of human resources, talent or workforce development.

If you are interested in attending, please RSVP to Shana Marbury at smarbury@gcpartnership.com or 216.592.2249.

[Read more.](#)

Emerging leaders wanted for GCP LEAD; nomination deadline extended

We are accepting nominations of emerging leaders from Greater Cleveland Partnership member companies for the 2017 GCP LEAD Cohort 2. **The deadline for nominations has been extended to Monday, February 27.**

GCP LEAD (Link. Engage. Advocate. Develop.) was created because the GCP recognizes the importance of cultivating our region's future business and community leaders through becoming engaged in the GCP's work.

The GCP LEAD group will be an exclusive cohort of emerging leaders from member companies with at least five years of professional experience and an interest in getting involved in the areas of economic development, education and workforce, advocacy, diversity and inclusion, business development, or physical development.

Learn more.

Learn strategies to stay ahead of your competition

How can middle-market companies stay ahead in increasingly fast-paced and global competitive environments?

Please join us on **Thursday, February 23** at our first middle-market forum of 2017 where thought leaders Peter Grimm (photo left) and Beau Oliver (photo right) of Cipher Systems will engage attendees in an insightful discussion on how companies and organizations can incorporate out-of-the-box thinking to better understand their markets, identify opportunities, and drive innovation.

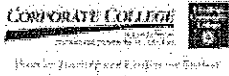


Click to read more about them.

Our program on "Innovation and Competitive Intelligence" will be held from 7:30 to 9 a.m. at the GCP Offices, 1240 Huron Road East in Playhouse Square.

[Click to register](#)

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Online Diversity Assessment now available

The Commission on Economic Inclusion's new online Diversity & Inclusion Organization Assessment can now be accessed for completion.

It is available to all Greater Cleveland Partnership members as a benefit of membership. We encourage you to take advantage of this great opportunity!

Employers who complete the Assessment will receive immediate feedback upon making their final submission, along with suggested resources that can be useful for internal diversity and inclusion strategic planning.

If you have previously completed the survey and have not received your confidential link and password, or if your organization is interested in completing the Assessment for the first time, please contact Scott Harrington at sharrington@gcpartnership.com or 216.592.2213.

[Read more.](#)

The Commission on Economic Inclusion is a program of the Greater Cleveland Partnership.



Apply now for the 2017 Best of Tech Awards

Applications are now open for OHTec's 2017 Best of Tech Awards, which will be presented on Thursday, April 27 as part of 2017 Tech Week.

The awards, which have been presented for the past 11 years, recognize successful companies, innovative products and inspirational leadership.

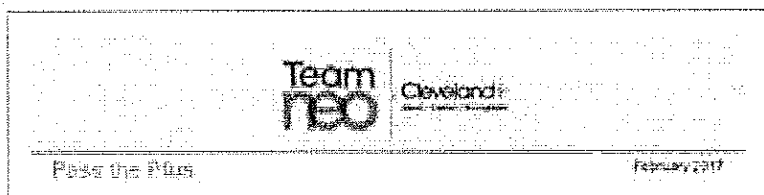
The deadline to complete your application is Friday, March 3. Finalists will be announced on Friday March 24, and winners will be honored at the Best of Tech Awards Dinner on April 27.

[Learn more.](#)

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OHTec is a program of the Greater Cleveland Partnership.



Share the positive: Pass the Plus!

You can read positive news about Cleveland and Northeast Ohio in the monthly "Pass the Plus" e-newsletter.

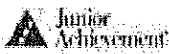
In this month's issue of "Pass the Plus," read how NASA Glenn's Plum Brook Station in Sandusky is serving as a key testing ground for the space agency's latest aviation experiments and technologies.

[Click to read the newsletter.](#)

[Click to subscribe](#) and start sharing our region's good news with your networks of colleagues, friends and family.

"Pass the Plus" is a Cleveland Plus/Team NEO free monthly e-newsletter that provides informative news and information related to the many positive developments shaping Northeast Ohio.

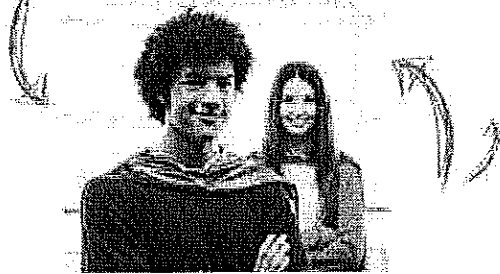
Cleveland Plus and Team NEO are part of the economic development system that the GCP helped to create and continues to support.



empowering young people to
achieve their dreams

JA Career Success Day! Friday, February 24th

Junior Achievement is seeking business professionals and community members to help high school freshmen define and refine their interpersonal and employability skills while sharing information about themselves and their career path.



Business volunteers needed for JA Career Success Day

Junior Achievement (JA) is seeking business professionals and community members to help high school freshmen define and refine their interpersonal and employability skills while sharing information about themselves and their career path.

During JA Career Success Day on **Friday, February 24**, volunteers will spend the day in the classroom using interactive lessons provided by JA to prepare students for success in tomorrow's workplace.

There are volunteer opportunities from 8 a.m. to 2:30 p.m. at these Cleveland Metropolitan School District Academies of Cleveland high schools: Garrett Morgan, Jane Addams, Max S. Hayes, Martin Luther King Jr., and Washington Park.

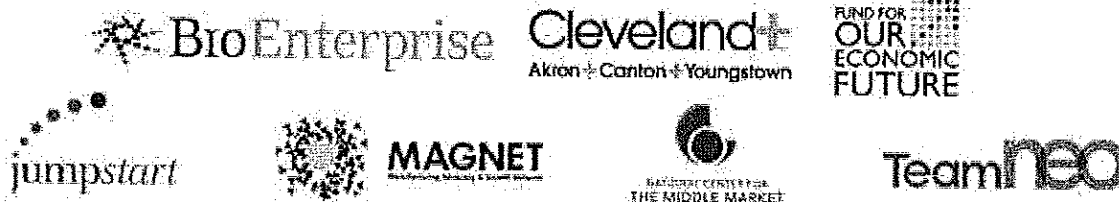
For more information, contact Marc Malleske, JA program coordinator, at mmalleske@jacleveland.org or 216.861.8080.

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Our External Partners



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To: Rep93
Subject: FCC's Auction Outcome Is Victim Of Sky-High Expectations



PUBLIC POLICY

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Check out the topics we cover, the forms we offer, and where our practical guidance will take you.

Wednesday, February 15, 2017



TOP NEWS

FCC's Auction Outcome Is Victim Of Sky-High Expectations

The Federal Communications Commission crossed an important finish line in its broadcast incentive auction Friday as a phase of bidding ended, and experts say inflated revenue expectations stoked by the FCC are clouding a result that delivers on the goal of repurposing spectrum for wireless use.

Acting SEC Chair Signals Shift To Ease Disclosure Rules

Acting U.S. Securities and Exchange Commission Chairman Michael Piwowar has taken aim at certain thorny disclosures required by Dodd-Frank by inviting input on such rules for conflicts minerals and executive-pay ratios, steps that attorneys say could lighten the reporting regime for public companies as a deregulatory spirit gains momentum.

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Cohen Weiss
Cooley
Cravath Swaine
Davis Polk
Dechert
Dewey & LeBoeuf
Dorsey & Whitney
Foley & Lardner
Gibson Dunn
Hogan Lovells
Holwell Shuster
Hunton & Williams
Jenner & Block

McMahon Approved To Lead Small Business Administration

The Senate approved President Donald Trump's pick of wrestling magnate Linda McMahon to head the Small Business Administration in a bipartisan vote Tuesday.

Analysis

Flynn's Exit Could Stall Russia Sanctions Relief

The abrupt departure of National Security Adviser Michael Flynn amid allegations of improper contact with Russian officials has only added to the cascade of uncertainties surrounding the Trump administration and how aggressively it will move to dismantle sanctions on Moscow.

Sens. Issue Calls For Russia Probes After Flynn Steps Down

A bipartisan group of senators renewed calls Tuesday for a special congressional investigation into alleged Russian interference with the U.S. presidential election after National Security Adviser Michael Flynn resigned amid fallout from his dealings with Russian officials, while Democrats additionally called for a criminal probe.

Chicago Schools Sue Over 'Discriminatory' State Funding

Chicago Public Schools sued Gov. Bruce Rauner and the state of Illinois Tuesday, alleging the way in which the state funds public schools discriminates against the city's majority-minority population of public school children and violates state and federal civil rights laws.

Law Schools, Bar Group Denounce Trump Attacks On Judges

The blowback from President Donald Trump's criticisms of federal judges related to his executive order on immigration has not abated, with the International Bar Association and two law school deans recently excoriating the

Kaplan Kirsch
Kirkland & Ellis
Kreis Enderle
LaRocca Hornik
Latham & Watkins
Lewis Reed
Morrison & Foerster
Pepper Hamilton
Pierce Atwood
Ropes & Gray
Seward & Kissel
Shearman & Sterling
Simpson Thacher
Skadden
Sullivan & Cromwell
Willkie Farr
Zuckert Scoutt

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AT&T Inc.
Aetna Inc.
America Fujikura Ltd.
American Bar Association
American Beverage Association
American Civil Liberties Union
American Federation of Labor and Congress of Industrial Organizations
American Federation of State, County and Municipal Employees
American Petroleum Institute Inc.
American Thoracic Society
CVR Energy Inc.
Chevron Corporation
Computer & Communications Industry Association
Financial Services Roundtable
Goldman Sachs Group Inc.
Google Inc.

president's comments about judges and the judiciary.

BANKING & SECURITIES

Warren Asks About Lobbyists' Sway On Trump Bank Orders

Sen. Elizabeth Warren on Tuesday sent letters to the White House, the U.S. Department of Labor and the bankers' advocacy group Financial Services Roundtable asking whether government officials "inappropriately consulted" with banking industry lobbyists while developing President Donald Trump's recent executive order and memorandum on financial regulation.

Trump Signs Repeal Of SEC Payment Disclosure Rule

President Donald Trump on Tuesday signed off on legislation that nixed a U.S. Securities and Exchange Commission rule requiring oil and gas extraction companies to disclose their payments to foreign governments, marking the first time in 16 years that a president utilized the Congressional Review Act to overturn a predecessor's rule.

Yellen Rebuts Trump's Claim That Dodd-Frank Hobbled Banks

Federal Reserve Chair Janet Yellen said Tuesday that she plans to work with the Trump administration to see where regulations on banks can be eased, but took issue with the president's characterization that banks are not lending due to the Dodd-Frank Act.

Special Master Deals Fla. Loss In Water Fight With Ga.

A U.S. Supreme Court-appointed special master dealt Florida a loss Tuesday in its fight with Georgia over use of water from the Apalachicola-Chattahoochee-Flint River Basin when he recommended that the court deny Florida's request to cap its neighbor's water usage.

Human Rights Campaign
Humana Inc.
Icahn Enterprises L.P.
International Bar Association
International Swaps and Derivatives Association
Johnson & Johnson
Koch Industries Inc.
L-3 Communications Holdings Inc.
Lockheed Martin
National Basketball Association
National Collegiate Athletic Association
National Federation of Independent Business
National Public Radio Inc.
National Right to Work Legal Defense Foundation
National Women's Law Center
Natural Resources Defense Council
Oracle Corp.
Pacific Legal Foundation
Planned Parenthood Federation
SIFMA
The Boeing Company
The Coca-Cola Company
Time Inc.
Trump Organization Inc.
Twitter Inc.
U.S. Chamber of Commerce
United States Telecom Association
Verizon Communications
Washington Post Co.
Wells Fargo & Co.
World Wrestling Entertainment, Inc.

GOVERNMENT AGENCIES

CFTC Gives Dealers More Time On Swaps Rule

The U.S. Commodity Futures Trading Commission said Monday that it will give swaps dealers a grace period to come into compliance with new rules on swap collateral requirements, after multiple industry groups said they were struggling to meet the March 1 deadline.

ENERGY & ENVIRONMENTAL

Texas Wants 5th Circ. To Review EPA's Sulfur Dioxide Rule

Texas asked the Fifth Circuit on Monday to review a U.S. Environmental Protection Act final action that found parts of the state had too much sulfur dioxide in the air, saying the agency's move will cost the state money unnecessarily and is an example of regulatory overreach.

Senate Dems Push To Delay Pruitt Vote, Question Icahn Links

Democratic members of the Senate Environment Committee on Tuesday pushed to delay a confirmation vote for President Donald Trump's pick to lead the U.S. Environmental Protection Agency, saying they need to review a pending open records lawsuit against the nominee, while other Senate Democrats demanded more information on Carl Icahn's role in the Trump administration.

Feds Sued Over Endangered Bumblebee Protection Delay

The Natural Resources Defense Council sued the federal government on Tuesday over the suspension of a rule that would put the rusty patched bumblebee on the endangered species list, saying the government's delay of the listing's effective date denies the bee essential legal protection.

Colorado AG Sues Boulder County Over Oil Drilling Ban

Agricultural Marketing Service
Army Corps of Engineers
Bureau of Citizenship and Immigration Services
Bureau of Indian Affairs
Bureau of Land Management
California Department of Food and Agriculture
California Natural Resources Agency
Commodity Futures Trading Commission
Congressional Budget Office
Consumer Financial Protection Bureau
Defense Intelligence Agency
Department of Commerce
Executive Office of the President
Federal Acquisition Regulatory Council
Federal Aviation Administration
Federal Bureau of Investigation
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Energy Regulatory Commission
Federal Railroad Administration
Federal Reserve System
Fish and Wildlife Service
Florida Attorney General's Office
Florida Department of Environmental Protection
Illinois Supreme Court
Internal Revenue Service
National Economic Council
National Labor Relations Board
National Railroad Passenger Corporation
National Security Council

Colorado Attorney General Cynthia H. Coffman sued Boulder County on Tuesday for failing to lift its ban on oil and gas development even after the state's top court ruled that two other local governments had to get rid of similar moratoriums.

HEALTH & LIFE SCIENCES

Fla. Says Changed Rule Could End Challenge To Abortion Law

The state of Florida has notified a federal court of proposed rule amendments it says could resolve a lawsuit's claims of First Amendment rights violations in an abortion restrictions law by narrowing the scope and changing the nature of a registration requirement for counselors.

Humana To Scrap Remaining ACA Policies In 2018

Humana Inc. on Tuesday said it will halt participation in Affordable Care Act marketplaces next year, citing a mix of customers that remains too unhealthy and unprofitable.

IP & TECHNOLOGY

Rep. Issa Says Lee Still Running USPTO But May Be Moved

Michelle Lee is still leading the U.S. Patent and Trademark Office, but the Trump administration may be looking for a different position for her elsewhere in the government, Rep. Darrell Issa, R-Calif., reportedly said Monday amid uncertainty about who is serving as USPTO director.

MEDIA & ENTERTAINMENT

NJ Sens. Fail To Override Veto Over Icahn's Casino License

The New Jersey State Senate on Monday failed to garner enough votes to override Gov. Chris Christie's veto of legislation that would have

New Jersey Legislature
North Carolina Department of Transportation
North Carolina General Assembly
Northern Arapaho Tribe
Occupational Safety and Health Administration
Office of Foreign Assets Control
Oklahoma Attorney General's Office
Pennsylvania Supreme Court
Port Authority of New York & New Jersey
Securities and Exchange Commission
Small Business Administration
U.S. Air Force
U.S. Army
U.S. Department of Agriculture
U.S. Department of Defense
U.S. Department of Education
U.S. Department of Energy
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of State
U.S. Department of Transportation
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Patent and Trademark Office
U.S. Senate
U.S. Supreme Court
United Nations

stripped billionaire Carl Icahn of his license to operate the defunct Trump Taj Mahal hotel and casino.

TRANSPORTATION & INFRASTRUCTURE

NJ Pushes Bill To Bar Port Authority From Aiding Travel Ban

New Jersey state legislators moved ahead Monday with a bill that would bar the Port Authority of New York and New Jersey from using any of its resources to implement President Donald J. Trump's executive order that called for a travel ban from seven predominantly Muslim countries.

DOT Overstepped With Rail Safety Order, DC Circ. Told

The U.S. Department of Transportation overstepped its authority when it issued an August 2016 order imposing new safety oversight and enforcement obligations on state entities that oversee intercity passenger rail service without proper public notice and comment, a pair of agencies told the D.C. Circuit.

DC Circ. Asked To Review Deal To Close Santa Monica Airport

General aviation groups asked the D.C. Circuit on Monday to review a settlement between the Federal Aviation Administration and Santa Monica, California, in their yearslong land title dispute over control of the Santa Monica Airport, saying the deal wrongfully allows the city to close the airport by 2029.

REAL ESTATE

San Francisco Urges 9th Circ. To Revive Rental Law Dispute

An attorney for San Francisco told the Ninth Circuit Thursday that a lower court was wrong to invalidate a since-revised housing law that forced landlords to pay massive sums to

tenants before taking their property off the market, telling a judge the ruling has hurt the city's ability to legislate future rent control measures.

EMPLOYMENT

Review Of NLRB Precedents In Order, House Panel Hears

Management and union lawyers clashed over the National Labor Relations Board at a U.S. House hearing Tuesday, with a Hunton & Williams LLP labor attorney saying the board needs to reconsider its Obama-era expansion of the joint employment standard and sped-up union elections and a labor lawyer testifying that criticism of recent agency actions is part of an effort to delegitimize unions.

Trump Blasts Media Co.'s Bid To Unseal 1998 Labor Deal

The Trump Organization Inc. and President Donald Trump slammed a bid by Time Inc. and The Reporters Committee for Freedom of the Press to unseal settlement documents that resolved Trump's 1998 dispute with a labor union, telling the Second Circuit that neither the First Amendment nor the common law right of access applies here.

Doctors, Int'l Science Org Back OSHA In Silica Rule Fight

An international scientific organization and an organization of occupation and environmental medical physicians have come out in support of the Occupational Safety and Health Administration's new rules on worker exposure to silica dust in several industries, telling the D.C. Circuit the regulations would reduce health impairments.

Ill. Gov. Sues To Block Employee Pay Cutoff Motion

The night before Gov. Bruce Rauner's annual budget address, Rauner late Tuesday filed an opposition to Illinois Attorney General Lisa

Madigan's motion to halt state worker pay amid Illinois' unprecedented budget crisis, urging a state judge to reject Madigan's "invitation to create an artificial emergency."

LGBT Groups Urge Trump To Keep Trans Student Policies

Four LGBT advocacy groups urged the Trump administration on Monday to preserve an Obama administration directive that public school students be allowed to use the restroom that matches their gender identity, saying it helps protect some of the nation's most vulnerable students.

PRIVACY & CONSUMER PROTECTION

USDA Recommends California Milk For Federal Pricing Order

California dairy producers who say they face an unfair marketplace disadvantage are moving closer to joining the U.S. Department of Agriculture's purchasing guidelines, with the USDA on Tuesday recommending that the state join the federal pricing system.

Cruz, Fellow Texan Unveil Bills To Kill CFPB

Texas lawmakers Sen. Ted Cruz and Rep. John Ratcliffe on Tuesday introduced legislation that would eliminate the Consumer Financial Protection Bureau as pressure mounts within Congress and the Trump administration on the federal consumer finance watchdog.

NC Gov. Floats New Plan For Bathroom Bill Repeal

North Carolina Gov. Roy Cooper on Tuesday offered his latest proposal for nixing the state's infamous law requiring transgender people to use public bathrooms and other facilities that correspond to the sex on their birth certificates, a plan that includes tougher penalties for crimes that occur in restrooms.

PRODUCT LIABILITY

Calif. State Senator Introduces Sugary Drink Labeling Bill

A California state senator has again proposed a bill that would require sugary beverages sold in the state to include health warning labels cautioning about the risk of obesity, diabetes and tooth decay, his office said Monday.

GOVERNMENT CONTRACTS

Lawmaker Tries To Block L-3's \$418M Aircraft Sale To Kenya

A GOP congressman proposed a resolution Tuesday to pump the brakes on L-3's \$418 million foreign military sale of border patrol aircraft to the Kenyan government, saying the sole-source contract unfairly excluded a competitor in his district and may have resulted from foul play.

INTERNATIONAL TRADE

Treasury Sanctions Venezuelan VP For Drug Trafficking Aid

The U.S. government has sanctioned Venezuela's second-in-command pursuant to the Foreign Narcotics Kingpin Designation Act for allegedly aiding international drug traffickers, the U.S. Department of the Treasury said in a statement Monday.

TAX

Ways and Means Chair Won't Seek Trump's Tax Returns

The Republican chairman of the House Ways and Means Committee announced on Monday that he would not demand to see President Donald Trump's tax returns, rejecting a bid from a Democratic lawmaker to seek review of the documents, according to media reports.

IRS Tax Certification Hurts CPAs, AICPA Tells Fed Circ.

An accounting trade group told the D.C. Circuit that a federal court erred in rejecting its challenge to a voluntary certification program for unlicensed tax return preparers, wrongly finding that its argument is not covered by the relevant law.

Taxpayers Lose Appeal For Equity On Foreclosed Properties

A group of taxpayers fighting to get the excess proceeds of sales after their properties were foreclosed by a Michigan county were dealt a second blow when a Sixth Circuit panel found that the lower court that ruled against them lacked jurisdiction in their case after all.

IMMIGRATION

Syrian Refugee Sues Trump Over Asylum Suspension

A Syrian man granted U.S. asylum after being tortured and targeted by radical fighters sued the federal government on Monday for halting, in response to President Donald Trump's immigration ban, a derivative asylum petition that could help his wife and child similarly escape the violence.

Trump Immigration Ban Blocked In Virginia

A Virginia federal judge on Monday blocked the government from enforcing the immigration ban on individuals from seven predominantly Muslim countries against people with ties to the Old Dominion, finding there is a likelihood that Virginia will win when it comes to its Establishment Clause claim.

NATIVE AMERICAN

BIA Asks 9th. Circ. To Nix Injunction In Contract Row

The Bureau of Indian Affairs urged the Ninth Circuit on Friday to undo a ruling that blocks the agency from approving contracts for two tribes that share a reservation in Wyoming but lack a

confederated government without receiving consent from both, saying it has already committed to doing so.

House OKs Bill Letting Texas, Okla. Set Red River Land Fate

Texas and Oklahoma could soon determine their own borders — and the fate of 30,000 acres claimed as federal land — if the Senate takes up a bill the House passed Tuesday to mandate the federal government accept a survey of the Red River commissioned by the states.

TELECOMMUNICATIONS

Reps Urge FCC To Undo Lifeline Eligibility Reversal

Several dozen House representatives urged Federal Communications Commission Chairman Ajit Pai on Monday to reconsider his decision to strip nine companies of eligibility to provide broadband service under the Lifeline program for low-income users, saying the move will hurt poor children and widen the digital divide.

Trade Group Asks FCC For More Broadband Build-Out Funds

The United States Telecom Association asked the Federal Communications Commission on Monday to increase funding levels for a broadband build-out support mechanism, saying that the priority of using it to deploy broadband in rural America means more funding is needed.

EXPERT ANALYSIS

Trump, Lockheed And The Art Of The Government Deal

President Donald Trump has made his federal procurement debut, announcing two weeks ago that Lockheed Martin agreed to cut \$600 million from its next production lot of F-35 Joint Strike Fighter planes. His tweets and negotiations

raise a slew of questions on how these tactics fit into the densely regulated field of government contracts, say attorneys with Pepper Hamilton LLP.

Overcoming Obstacles To Financial Reform And Deregulation

Creating a list of industry-endorsed reforms is perhaps the easiest task to complete when attempting to ease financial regulatory burdens. However, sorting through and identifying realistic, achievable regulatory reforms at the agency level will prove much more difficult and vexing because of the complexity of current agency interconnectivity, says Joseph Lynyak III of Dorsey & Whitney LLP.

Gorsuch May Further Tip Balance Against Deference To EPA

From an environmental law perspective, Judge Neil Gorsuch has shown a willingness to reassess Chevron deference to an agency's interpretation of the statutes it implements. If confirmed to the U.S. Supreme Court, he could fan further interest in revisiting Chevron deference at a time when the court is actively considering what deference is due an agency when it interprets its own regulations, say attorneys with Bracewell LLP.

FERC Could See Substantial Changes Under President Trump

The Federal Energy Regulatory Commission oversees electric utilities and gas pipelines that account for about 4 percent of the U.S. gross national product. So the impact of FERC policy shifts can be significant. Under the Trump administration, FERC could revisit its stances on market manipulation, net metering and other key issues, say John Estes III and Timothy Mastrogiacomo of Skadden Arps Slate Meagher & Flom LLP.

LEGAL INDUSTRY

Analysis

Firm Leaders' Bullish View On Demand Met With Skepticism

Law firm leaders believe 2017 could be the year the sector reverses the tide of stagnant demand it has been plagued by in recent years, a January report found. Here, industry experts examine how realistic those predictions are and what factors could kick-start billable hours.

Akin Gump's Profits Per Partner Jumped Nearly 10% In 2016

Akin Gump Strauss Hauer & Feld LLP's global profits per partner jumped by 9.6 percent between 2015 and 2016, surpassing \$2 million each, the firm said Tuesday.

Banks Lavished Dewey With High Debt Offers, Jury Hears

A Wells Fargo executive on Tuesday told jurors in the second trial of former leaders of Dewey & LeBoeuf LLP of internal concerns at the bank over the amount of debt the law firm was taking on in the early years after its inception, while juror problems continued to plague the proceeding.

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Sent: Thursday, February 16, 2017 5:22 AM

To: Rep93

Subject: Next Solicitor General Can Expect Tough Road Under Trump



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Thursday, February 16, 2017



TOP NEWS

Analysis

Next Solicitor General Can Expect Tough Road Under Trump

President Donald Trump's pick for the usually coveted position of solicitor general should expect an unusually rocky tenure, experts say, given the legal battles already underway, criticisms the president has heaped on the judiciary and the likely difficulty of dissuading a president who shoots from the hip from pursuing untenable legal positions.

Puzder Out Of Running For Labor Secretary

Fast-food executive Andrew Puzder took himself out of consideration Wednesday to serve as President Donald Trump's labor secretary one day before his scheduled confirmation hearing as reports circulated that he lacked enough support from Senate Republicans.

LAW FIRMS

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Arent Fox
Arnold & Porter Kaye Scholer
Boies Schiller
Brownstein Hyatt
Chiesa Shahinian
Cooper & Kirk
Covington & Burling
Davis Wright Tremaine
Debevoise & Plimpton
Denton Navarro
Dentons
Dickinson Wright
Earthjustice
Epstein Becker Green
Faegre Baker
Foley & Lardner
Fowler White Burnett
Frost Brown Todd

House Republicans Announce Their Own ACA Replacement

The conservative U.S. House Freedom Caucus on Wednesday unveiled proposed legislation to replace the Affordable Care Act and officially endorsed a full repeal of Obamacare while promising to support the proposed replacement as a companion bill to one already in the Senate.

Sen. McConnell Leaves 'Nuclear Option' Open On Gorsuch

The Senate Majority Leader on Wednesday kept the line open for using the so-called nuclear option — changing Senate rules — and also backed President Donald Trump Supreme Court nominee Judge Neil Gorsuch's earlier comments on the independent judiciary.

Mattis Voices NATO Support, Says Members Must Chip In

Defense Secretary Jim Mattis Wednesday, in his first meeting with NATO counterparts since officially joining the Trump administration, reaffirmed U.S. commitments to the alliance while signaling the Trump administration would push member states to increase their monetary support.

Analysis

5 Key Takeaways From Trump's ACA Stabilizer Rule

The Trump administration's plan to stabilize Affordable Care Act markets by easing oversight of provider networks and limiting enrollment periods will strengthen insurers that are already doing fairly well but likely prove too modest for others, experts say. Here are five takeaways on how an eagerly awaited regulation will play out

GOP Lawmaker Takes Aim At FCC Privacy Rules

U.S. Sen. Jeff Flake is planning to introduce legislation that would roll back the Federal Communications Commission's new broadband

Goodwin
Greenberg Traurig
Hall Estill
Hunton & Williams
Jones Day
K&L Gates
Lewis Brisbois
Marashlian & Donahue
Massey & Gail
Mayer Brown
Moye White
Perkins Coie
Priddy Cutler
Stradley Ronon
Sullivan & Cromwell
Tucker Law Group
Wachtell Lipton
Wiley Rein

COMPANIES

AARP Inc.
Allergan PLC
Amazon.com Inc.
America Fujikura Ltd.
America's Health Insurance Plans
American Bar Association
American Cable Association
American Civil Liberties Union
American Federation of Labor and Congress of Industrial Organizations
Apple Inc.
AutoZone, Inc
Avalere Health LLC
Bank of America Corporation
Best Buy Co.
Boyd Gaming Corporation
CKE Restaurants, Inc.
CTIA

privacy rules, which give consumers opt-in options for the sharing of certain user information, the Arizona Republican confirmed Wednesday.

Trump Budget Pick Heads To Final Senate Vote

The Senate is moving closer to a final vote on President Donald Trump's head budget officer after Rep. Mick Mulvaney R-S.C., passed a key procedural hurdle on Wednesday.

Retailers Meet With Trump Amid Tax Reform Concerns

President Donald Trump and Vice President Mike Pence Wednesday met with members of the Retail Industry Leaders Association at the White House for a listening session on tax reform and other concerns facing the industry, according to a White House press pool briefing.

BANKING & SECURITIES

Fed Chair Says Rulemaking Calendar Is 'Relatively Light'

Federal Reserve Chair Janet Yellen said on Wednesday that the central bank does not have plans to move forward any major regulations while President Donald Trump's regulatory freeze remains in place even though executive orders do not apply to independent regulatory agencies.

SEC Urged To Preempt States To Boost Reg A+ Liquidity

A legal expert told a U.S. Securities and Exchange Commission advisory committee Wednesday that the SEC should use its rule-making authority to preempt state regulations that restrict secondary trading of shares of small companies that raise capital under the newly expanded Regulation A exemption, thus boosting liquidity.

IPOs Dwindle As Need To Go Public Becomes Less Urgent

Calpine Corporation
Center for Biological Diversity Inc.
Cisco Systems Inc.
Computer & Communications Industry Association
Dynegy Inc.
Equifax Inc.
Ernst & Young
Exelon Corporation
Experian
Facebook
Financial Industry Regulatory Authority Inc.
Google Inc.
Information Technology Industry Council
International Brotherhood of Teamsters
International Business Machines Corporation
J.C. Penney Company Inc.
JPMorgan Chase & Co.
Jack In The Box Inc.
Koch Industries Inc.
MGM Resorts International
Microsoft Corporation
Mobilitie LLC
Morgan Stanley
NASDAQ OMX Group Inc.
NRG Energy Inc.
PJM Interconnection LLC
Pfizer Inc.
Talen Energy Corp.
Tax Foundation
The Gap Inc.
Tractor Supply Company
TransUnion LLC
Turner Broadcasting System Inc.
Twilio Inc.

The rising costs of going public, new regulations that make it easier to stay private and growing options for raising private capital are leading factors causing more companies to delay or cancel initial public offerings, experts told a U.S. Securities and Exchange Commission committee Wednesday.

ENERGY & ENVIRONMENTAL

Watchdog Says Okla. AG Withholding Thousands Of Emails

A media watchdog group on Tuesday said that Oklahoma Attorney General Scott Pruitt, who is President Donald Trump's pick to lead the U.S. Environmental Protection Agency, is improperly withholding documents related to his office's interactions with fossil fuel industry players.

Senate Gets Ball Rolling To Amend The ESA

The Senate Environment Committee on Wednesday explored the possibility of amending the Endangered Species Act, with Republicans criticizing it as being unresponsive to state and local concerns and lacking flexibility to remove protections for an animal or plant once it has recovered.

Ill. Nuke Plant Subsidies Flout FERC, Power Cos. Say

A power producer coalition on Tuesday sued to overturn Illinois' plans to subsidize two struggling nuclear power plants in an echo of similar litigation launched against nuclear subsidies offered by New York state, claiming the incentives usurp the Federal Energy Regulatory Commission's exclusive authority over wholesale electricity markets.

10 State AGs Urge Senate To Reject Vessel Discharge Bill

New York Attorney General Eric T. Schneiderman and nine other state attorneys general called on U.S. Senate leaders Wednesday to reject legislation they say would

Twitter Inc.
U.S. Chamber of Commerce
United States Telecom Association
Verizon Communications
Walgreen Co.
ZestFinance Inc.

GOVERNMENT AGENCIES

Buena Vista Rancheria of Me-Wuk Indians
California Environmental Protection Agency
Centers for Medicare & Medicaid Services
Congressional Budget Office
Consumer Financial Protection Bureau
Equal Employment Opportunity Commission
Executive Office of the President
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Energy Regulatory Commission
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Government Accountability Office
Illinois Supreme Court
Internal Revenue Service
International Maritime Organization
NATO
National Institute of Standards and Technology
National Labor Relations Board
National Marine Fisheries Service
National Security Agency

dramatically weaken states' authority to protect waterways against pollution from commercial shipping vessels.

Flake Plan Provides For Ariz., NM Role In Mexican Gray Wolf

Republican Arizona Senators Jeff Flake and John McCain reintroduced the Mexican Gray Wolf Recovery Plan Act on Tuesday, which would give New Mexico and Arizona a larger stake in the management of an animal on the endangered species list.

Enviros, Utilities Clash Over EPA Mercury Rule Challenges

Environmentalists and utilities on Tuesday swapped dueling briefs in D.C. Circuit litigation over the U.S. Environmental Protection Agency's mercury rule for coal-fired power plants, with each side accusing the other of recycling arguments that have been rejected by the agency and the courts.

Endangered Species Case Won't Move From DC To Minn.

An Endangered Species Act case will not be transferred from D.C. to Minnesota federal court, a judge ordered Tuesday when deciding in favor of environmental groups accusing the U.S. Forest Service and other federal agencies of sidestepping a review requirement in approving mine and highway projects that could harm animals in Minnesota's Superior National Forest.

HEALTH & LIFE SCIENCES

Feds Float ACA Market Stabilization Rule

Federal regulators on Wednesday floated highly anticipated policies for stabilizing Affordable Care Act marketplaces, including tighter enrollment periods, slimmer benefits and more leeway for states to oversee provider networks.

New York Attorney General's Office

North Carolina Wildlife Resources Commission

Securities and Exchange Commission

Small Business Administration

Social Security Administration

U.S. Coast Guard

U.S. Department of Defense

U.S. Department of Energy

U.S. Department of Health and Human Services

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of Veterans Affairs

U.S. Department of the Interior

U.S. Department of the Treasury

U.S. Environmental Protection Agency

U.S. Forest Service

U.S. House of Representatives

U.S. Senate

U.S. Supreme Court

House OKs Measure To Widen Drug Testing For Unemployed

The House of Representatives paved the way for an increase in state-based drug testing for unemployment benefits Wednesday, passing a resolution to undo an Obama-era rule that allowed such testing in only narrow categories.

MEDIA & ENTERTAINMENT

Ex-State Sen. Asks Texas High Court To Nix Radio Ad Suit

Former state Sen. Bob Deuell has asked the Texas Supreme Court to review a lower court's decision allowing an anti-abortion group's lawsuit against him — alleging that his actions got their radio ads taken off the air — to proceed, arguing that the group hadn't met the minimum evidence standards required.

Philly Controller Wants End To 'Slush Fund' Defamation Suit

The attorney for Philadelphia's city controller asked a state court judge Wednesday to toss a former city official's suit that claimed she was defamed in reports about a so-called slush fund involving money from the city's marathon, saying he and another defendant had immunity as "high public officials."

REAL ESTATE

NJ Developer Loses Appeal Over Application Timing Rule

The New Jersey Appellate Division has said a developer is not protected by a rule requiring a municipality to follow regulations in place at the time of an application because the business did not submit every required document, marking the first time a state court defined an application entitled to such protection.

EMPLOYMENT

GOP Votes To Repeal DOL Rules On State Retirement Plans

Republicans in the U.S. House of Representatives on Wednesday voted to repeal two recent U.S. Department of Labor rules that allow states and some municipalities to help workers without employer-sponsored retirement plans invest in state-run accounts.

EEOC Slows Rule On Affirmative Action Rule For Disabled

The U.S. Equal Employment Opportunity Commission said Wednesday that it will impose a two-week delay of its regulations boosting federal agencies' hiring goals for individuals with disabilities and enhancing support services for those workers, citing a Trump administration directive to slow rules that haven't yet taken effect.

Rauner Asks For Pension Reform, Power To Cut Ill. Budget

Illinois Gov. Bruce Rauner offered state lawmakers a spending plan Wednesday that he repeatedly called "balanced" but that relies on filling a \$4.5 billion hole with measures requiring cooperation from the same legislature at a budget impasse for an unprecedented 20 months.

Ky. County Tells 6th Circ. Not To Rethink RTW Ruling Appeal

A county in Kentucky urged the Sixth Circuit on Wednesday to reject a request by a group of Kentucky unions, including chapters of the AFL-CIO, to rehear en banc a case challenging a local right-to-work ordinance.

PRIVACY & CONSUMER PROTECTION

CFPB Contemplates Using Alternative Data In Credit Scores

The Consumer Financial Protection Bureau on Thursday announced plans to look into whether using so-called "alternative data" like rent and utility payments for credit scoring could make it

easier for millions of Americans to get access to mortgages and other credit.

Tech Groups Call For Balance In Foreign Spying Renewal Push

A coalition of tech industry groups on Wednesday pushed congressional leaders to work together to come up with a "balanced yet focused" approach to replacing a controversial foreign internet surveillance program that is expiring at the end of the year.

GOVERNMENT CONTRACTS

NJ Ordered To Defend Atlantic City Layoffs, Contract Changes

A New Jersey state judge has ordered state officials to appear in court later this month in a lawsuit brought against them by the union representing Atlantic City firefighters and address whether the officials should be restrained from laying off firefighters and implementing changes to their contract.

GAO Targets 34 Areas Of Concern In Federal High Risk List

The U.S. Government Accountability Office released a new list of "high risk" federal programs particularly susceptible to fraud, abuse or mismanagement on Wednesday, adding various Native American programs, environmental liabilities and the upcoming census to the list while removing programs for managing terrorism-related information.

INTERNATIONAL TRADE

Border Adjust Tax Will Have Limited Trade Impact, Report Says

The House Republicans' proposed tax on imports will have a limited long-run economic impact if any at all, according to a Tax Foundation report released Wednesday, which noted that while the approach provides no

expected trade-related gains, it has the advantage of limiting tax avoidance.

TAX

US Wants New Shot At Inversion Rule If It Loses Challenge

The U.S. government asked a Texas federal court on Wednesday to consider sending a tax rule meant to combat corporate inversions back to the U.S. Treasury Department rather than vacating it if the U.S. Chamber of Commerce's challenge of the rule is successful.

NJ, MGM Resorts Ink \$72M Deal Over Property Tax Appeals

New Jersey officials on Wednesday announced a deal to pay \$72 million to MGM Resorts International to resolve outstanding property tax appeals filed by the company's Borgata Hotel Casino & Spa in Atlantic City, saying the move would save taxpayer dollars as the state oversees the fiscal recovery of the struggling resort town.

Colo. Gov. Downplays Harm Of Taxpayer Rights Bill, Court Told

Opponents to Colorado's Taxpayer Bill of Rights slammed Gov. John Hickenlooper's bid to toss their suit, telling a federal court Tuesday that the governor has mischaracterized the measure to play down the harm it has caused state political subdivisions and others.

IMMIGRATION

House Resolution Slams Judge Who Blocked Travel Ban

Rep. Steve King, R-Iowa, has introduced a resolution to the U.S. House of Representatives criticizing the actions of a federal judge and an appeals court that obstructed the enforcement of President Donald Trump's Jan. 27 immigration ban.

Texas AG Backs Trump Immigration Ban In 9th Circ.

Texas Attorney General Ken Paxton threw his support behind President Donald Trump's immigration ban on Wednesday when he urged the Ninth Circuit to reconsider last week's decision upholding a block on the executive order, citing the president's powers to protect national security.

NATIVE AMERICAN

Calif. County Can Fight Tribal Casino, DC Circ. Told

A California county has urged the D.C. Circuit to allow it to challenge a U.S. Department of the Interior decision backing a proposed tribal casino, arguing that it had retained the right to oppose the project.

TELECOMMUNICATIONS

Analysis

FCC's Lifeline Backtrack Foreshadows Program Changes

The Federal Communications Commission under the leadership of new Chairman Ajit Pai has set off a firestorm of controversy by revoking the eligibility of several companies to provide Lifeline broadband services, and experts say recent FCC action suggests the commission will seek to change Obama-era program updates.

Wireless Group Urges FCC To Clear Local Roadblocks For 5G

Wireless trade group CTIA has pushed the Federal Communications Commission to move forward with a proposal to clear the way at the state and local level for 5G infrastructure, also pushing for spectrum to meet wireless demand and against a proposal to subject text messaging to more stringent regulation.

Small Telecoms Decry FCC's Proposed 'Flash Cuts'

A group of regional telecom companies told the new head of the Federal Communications Commission on Tuesday that his plan to cut subsidies they receive for reaching rural customers and redirect the funds toward areas without wireless broadband would do more harm than good.

PEOPLE

SEC Chair Mary Jo White Returns To Debevoise & Plimpton

After nearly four years as chair of the U.S. Securities and Exchange Commission, Mary Jo White will once again return to Debevoise & Plimpton LLP, this time as senior chair of the firm, Debevoise announced on Wednesday.

EXPERT ANALYSIS

Game Clock Running Down, NLRB GC Turns To The Crowd

National Labor Relations Board general counsel Richard Griffin's recent report discussing the rights of university faculty and students speaks not to the board, but instead to employers, labor unions and employees, and is being used as a novel, last-ditch attempt to use the court of public opinion to bolster changes Griffin oversaw during his tenure, says Ryan Funk of Faegre Baker Daniels LLP.

A New Element In Awarding Calif. Public Works Contracts

Legislation recently proposed in California would require the disclosure of greenhouse gas emissions generated by the manufacture of certain "eligible materials" for public works projects. If passed, it could have the biggest effect on companies that manufacture construction materials, especially cement, flat glass, manufactured wool, steel and asphalt, say attorneys with Arnold & Porter Kaye Scholer LLP.

How A General Counsel Should Think About AI

Though the Trump administration has yet to make an official statement regarding artificial intelligence, support for AI is consistent with its expressed desire to promote American business. As such, general counsel will inevitably have to navigate what big data and AI mean for compliance with current and future laws and regulations, say Bruce Heiman and Elana Reman of K&L Gates LLP.

A Rule Against Pretext, Taken Out Of Context

An attorney who negotiates a serial killer's surrender is suspended from legal practice. A highly successful investigative unit that protects children from internet predators is shut down. These are the results of an overly dogmatic approach to the Colorado Rules of Professional Conduct, which prohibit lawyers from engaging "in conduct involving dishonesty, fraud, deceit or misrepresentation," says Charles Luce of Moye White LLP.

When And Where Punitive Damages Are Insurable: Part 2

There is no substitute for a well-drafted, ironclad insurance policy, so it is imperative that insurers either expressly exclude punitive damages in actual policies, or unambiguous, limiting language if the agreement is to cover punitive damages, says Rory Jurman of Fowler White Burnett PA.

LEGAL INDUSTRY

Analysis

How To Stand Out In A Large Law Department

In large law departments, in-house counsel who don't distinguish themselves are doomed to languish unnoticed among the masses. Here's how to make an impression with general

counsel and other company leaders to move up the ranks.

My Strangest Day In Court: When My Expert Had A Meltdown

As I was going through one of the plaintiff's claims — post-traumatic stress disorder — with my expert witness, the good doctor could not even recall the elements of the disorder! Then, suddenly, he pointed his finger at a young juror, remembers Esther Holm of Lewis Brisbois Bisgaard & Smith LLP.

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From: Policy Matters Ohio

Sent: Thursday, February 16, 2017 2:36 PM

To: Rep93

Subject: Press statement: Nomination of Acosta for Secretary of Labor a likely improvement

Policy Matters Ohio

For immediate release
Contact Hannah Halbert
614.397.6080

Nomination of Acosta for Secretary of Labor a likely improvement

Vetting needed, but new nominee appears friendlier to workers

After the failed nomination of Andrew Puzder for Secretary of Labor, the Trump administration put forward Alexander Acosta, dean of the Florida International University College of Law and former assistant attorney general for the Civil Rights Division under President George W. Bush. Policy Matters Ohio sees this move as a step in the right direction for working people.

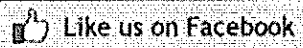
"Rigorous vetting is still needed but unlike Puzder, Acosta does not appear to be a nominee bent on dismantling the institution he is set to lead," said Hannah Halbert, researcher with Policy Matters Ohio. "The Department of Labor must be dedicated to welfare and safety of wage-earners. Not their bosses."

Ohioans value worker rights. The state overwhelmingly voted down laws that sought to restrict collective bargaining and voted in support of a state constitutional amendment that increased and indexed the minimum wage. As hearings begin, working people of Ohio will want to know where Acosta stands on these issues. Policy Matters will look for evidence that Acosta will work for safe and healthy workplaces, more and better jobs, and a better life for working people in Ohio and the United States.

[Read press statement online](#)

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Friday, February 17, 2017



TOP NEWS

Analysis

Smoother Road To Confirmation Seen For New DOL Chief Pick

President Donald Trump's nomination of former U.S. Attorney Alex Acosta to head the U.S. Department of Labor drew praise from management-side attorneys who believe he will adhere to the administration's less aggressive regulatory posture, while also garnering cautious optimism from unions who see his past public service as a sign he will dutifully enforce labor laws.

Mulvaney Gets Senate Approval As Trump Budget Officer

The Senate has approved President Donald Trump's pick for his top budget office, putting conservative Rep. Mick Mulvaney, R-S.C., at the head of the office responsible for the federal budget and managing many agencies.

Analysis

LAW FIRMS

Alston & Bird
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Ballard Spahr
Blank Rome
Coker Schickel
Connelly Law Offices
Cooley
DLA Piper
Dewey & LeBoeuf
Dowd Bloch
Epstein Becker Green
Faegre Baker
Farella Braun
Fisch Sigler
Gibson Dunn
Goodwin
Hall Estill
Holland & Knight
Hueston Hennigan

Ex-DOJ Immigration Head: Travel Order Case A 'Close Call'

Leon Fresco, the former head of the government's Office of Immigration Litigation, dove into a range of hot-button topics in recent discussions with Law360, saying it was a "close call" whether the current version of the president's travel ban would be able to survive court review.

Trump EPA Pick Pruitt Advances In Senate

Trump's choice to lead the Environmental Protection Agency has been set up for a final Senate vote, as Oklahoma Attorney General Scott Pruitt cleared a procedural vote Thursday.

9th Circ. Pauses Immigration Ban Suit At Trump's Request

Ninth Circuit Chief Justice Sidney R. Thomas late Thursday agreed to pause en banc proceedings over President Donald Trump's challenge of an order blocking the implementation of his immigration ban after the administration requested a freeze on the proceedings as it preps a new executive order.

House Acts To Clear Way For Planned Parenthood Defunding

The House passed a resolution Thursday to make it easier for states to defund Planned Parenthood, disapproving a federal rule that restricts states' ability to direct funding to the women's health care provider.

FCC's Pai Wants To Cut 'Red Tape' For Radio

Federal Communications Commission Chairman Ajit Pai said Thursday that he will not neglect radio during his chairmanship, pushing for modernized rules and the activation of smartphone FM chips to let users listen to radio over-the-air, though without a regulatory mandate.

Jackson Lewis
Jenner & Block
Jones Day
K&L Gates
Kirkland & Ellis
Laddey Clark
Mayer Brown
Nicoletti Hornig
O'Melveny & Myers
Ogletree Deakins
Patterson Belknap
Paul Hastings
Potter Minton
Prince Lobel
Quinn Emanuel
Ropes & Gray
Schiff Hardin
Seward & Kissel
Shapiro Haber
Skadden
Spector Gadon
Sullivan & Cromwell
Terrell Hogan
Weil Gotshal
Weiner Brodsky
White and Williams
Wilentz Goldman

COMPANIES

Alliance Defending Freedom
Amazon.com Inc.
America Fujikura Ltd.
American Bar Association
American Civil Liberties Union
American Commercial Lines Inc.
American Federation of Labor and Congress of Industrial Organizations

Acting SEC Chair Curbs Enforcement Staff's Power

Acting U.S. Securities and Exchange Commission Chair Michael Piwowar has curtailed some powers of the agency's enforcement staff dating from the financial crisis, according to multiple media reports.

BANKING & SECURITIES

DC Circ. Agrees To Rethink SEC Judges' Constitutionality

The D.C. Circuit agreed Thursday to vacate a panel's finding that the U.S. Securities and Exchange Commission's in-house judges don't need presidential appointment and to rehear the case before the entire court, taking another look at an issue that has split circuits.

Euronext Says New Platform Shields From High-Speed Traders

European stock exchange operator Euronext said Wednesday it will partner with a U.S. financial technology company and launch a block-trading platform designed to enable investors to execute large orders without tipping their hat toward high-frequency traders.

ENERGY & ENVIRONMENTAL

More Ex-EPA Employees Pile On Anti-Pruitt Bandwagon

The number of former U.S. Environmental Protection Agency employees opposed to the confirmation of Oklahoma Attorney General Scott Pruitt as EPA administrator has risen to more than 700, the Environmental Integrity Project said Thursday.

EPA Re-Floats Uranium Mine Rule, Yanks 30-Year Monitoring

The U.S. Environmental Protection Agency on Thursday re-proposed a rule imposing new health and environmental protection regulations for uranium ore extraction, and removed a requirement that mine operators monitor

American Federation of State,
County and Municipal Employees
American Federation of Television
and Radio Artists
American Insurance Association
CH Energy Group Inc.
CKE Restaurants, Inc.
Center for Biological Diversity Inc.
Comcast Corporation
ConAgra Foods, Inc.
Conservation Law Foundation
Devon Energy Corporation
Dr. Reddy's Laboratories Limited
Energy Transfer Partners, L.P.
Florida Bar Association
Fortress Investment Group LLC
Google Inc.
Helsinn Healthcare SA
Humane Society of the United
States
Intellectual Ventures
International Union Of Operating
Engineers
Koch Industries Inc.
Lockheed Martin
London Stock Exchange Group
PLC
Lyft Inc.
McDonald's Corporation
NBCUniversal Inc.
National Association of Insurance
Commissioners
National Association of Mutual
Insurance Companies
National Rifle Association of
America
New York State Bar Association
New York Times Co.
Occidental Petroleum Corporation
PHH Corporation

groundwater for 30 years after demonstrating that the groundwater chemistry is restored and stable.

EPA Cleared From Suit Over Fla. Water Quality Requirements

A Florida federal judge on Wednesday tossed a lawsuit accusing the U.S. Environmental Protection Agency of failing to correctly evaluate water quality requirements for Florida's waterways, a decision that came two years after the judge tossed a similar suit from the same environmental group.

FWS Released From Lawsuit Over Permit For Lynx Capture

The U.S. Fish and Wildlife Service was released from a lawsuit Wednesday brought by environmental and animal welfare groups suing it for issuing the state of Maine a permit that allowed the accidental capture of a threatened lynx species, with a federal judge finding that the service had a rational basis to issue the permit.

EPA Nominee Ordered To Hand Over Docs To Watchdog

An Oklahoma judge on Thursday ordered Scott Pruitt, President Donald Trump's nominee to lead the U.S. Environmental Protection Agency, to turn over to a watchdog group nearly 3,000 emails that purportedly reveal his ties to the fossil fuel industry, the group said.

Resolution Nixing Alaska Hunting Rule Clears House

Alaskan hunters could soon have more tools at their disposal again, after the House passed a measure on Thursday aimed at a federal rule limiting hunting practices on federal lands in the state.

Trump Inks Revocation Of Stream Protection Rule

President Donald J. Trump on Thursday signed a bill revoking a U.S. Department of the Interior

Planned Parenthood Federation
San Antonio Spurs
Sierra Club
SoftBank Group Corp.
Speedway LLC
Stepan Co.
The Boeing Company
Toshiba
U.S. Chamber of Commerce
Uber Technologies Inc.
United Brotherhood of Carpenters
Wal-Mart Stores Inc.

GOVERNMENT AGENCIES

Army Corps of Engineers
Bureau of Land Management
Consumer Financial Protection Bureau
Department of Commerce
Equal Employment Opportunity Commission
European Commission
Executive Office of the President
Federal Communications Commission
Federal Deposit Insurance Corp.
Fish and Wildlife Service
Florida Attorney General's Office
Florida Department of Environmental Protection
Government Accountability Office
Idaho Legislature
Illinois Supreme Court
Immigration and Customs Enforcement
International Trade Commission
NAFTA
National Labor Relations Board
National Railroad Passenger Corporation

rule aimed at minimizing coal mining's harm to surface water and groundwater, the second energy-related rule crafted by the Obama administration that's been killed through use of the Congressional Review Act.

HEALTH & LIFE SCIENCES

11th-Circ. Strikes Down Fla. 'Gun Gag' Law

The Eleventh Circuit on Thursday struck down much of a Florida law curbing doctors from asking patients about firearm ownership, ruling that the "gun gag" law violates the First Amendment by impermissibly restricting physician speech.

Trump's CMS Pick Says Medicaid 'Doesn't Work Well'

The Trump administration's likely leader of the Centers for Medicare and Medicaid Services on Thursday sharply criticized Medicaid as rigid and underperforming, signaling that states will get more leeway to overhaul their programs.

Fla. High Court Blocks Enforcement Of Abortion Delay Law

The Florida Supreme Court reinstated a temporary injunction blocking a state law requiring women to wait 24 hours after an initial doctor's visit before obtaining an abortion, ruling Thursday that the abortion rights groups had shown they would likely succeed on the merits.

TRANSPORTATION & INFRASTRUCTURE

Uber Looks To Consolidate 4 Suits By Boston Taxi Cos.

Uber Technologies Inc. on Thursday asked a Massachusetts federal court to consolidate four cases brought by 265 local taxi companies accusing Uber of operating illegally in Boston and competing unfairly by not complying with local taxi ordinances.

New Jersey Attorney General's Office

Office of Surface Mining Reclamation and Enforcement

Port Authority of New York & New Jersey

Securities and Exchange Commission

Shoshone-Bannock Tribes

Small Business Administration

Social Security Administration

Standing Rock Sioux Tribe

U.S. Air Force

U.S. Army

U.S. Attorney's Office

U.S. Consumer Product Safety Commission

U.S. Department of Agriculture

U.S. Department of Defense

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Housing and Urban Development

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of the Interior

U.S. Department of the Treasury

U.S. Environmental Protection Agency

U.S. Supreme Court

Washington Attorney General's Office

Long-Term Surface Transpo Funding Fix Needed, Says GAO

The Government Accountability Office said Wednesday that Congress' failure to lock down a sustainable long-term plan to pay for U.S. surface transportation upgrades continues to be a "high-risk" public policy area that lawmakers must tackle.

NJ Judge Again Finds Probable Cause In Christie GWB Case

A New Jersey judge on Thursday again found probable cause in an activist's criminal complaint accusing Gov. Chris Christie of official misconduct over politically motivated lane closures at the George Washington Bridge, sending the matter to prosecutors who have already said they won't pursue charges against the governor.

Port Authority OKs \$32.2B Capital Plan For Transpo Projects

The Port Authority of New York & New Jersey on Thursday signed off on a \$32.2 billion, 10-year capital plan, advancing plans to fund a new bus terminal on Manhattan's west side, the long-awaited third tunnel under the Hudson River, and the ongoing redevelopment of LaGuardia Airport.

INSURANCE

House Lawmakers Seek Clarity On US-EU Insurance Pact

A U.S. House panel on Thursday pressed for more clarity on a new bilateral agreement between the U.S. and European Union designed to place insurers and reinsurers in the two jurisdictions on equal footing, as regulators and insurance trade groups presented wildly divergent views on the pact.

EMPLOYMENT

Wash. High Court Rebuffs Florist's Same-Sex Objections

A Washington florist who refused to serve a same-sex wedding, citing religious objections, violated state anti-discrimination laws and is not protected by the First Amendment, the Washington Supreme Court unanimously ruled Thursday.

Ill. Must Keep Paying Workers In Budget Impasse, Judge Says

State workers in Illinois will continue to get paid through the state's historic budget impasse now that a St. Clair County judge on Thursday denied Attorney General Lisa Madigan's request to halt the paychecks of 63,000 employees until lawmakers and the governor approve a budget.

2 Dems Offer Trump Road Map To Revamp NAFTA

Two House Democrats extended an olive branch to President Donald Trump on Thursday by offering to help him renegotiate the North American Free Trade Agreement, laying out a road map that would increase the deal's labor and environmental rules and do away with its controversial arbitration panels.

Trump Picks Former US Attorney Acosta To Lead DOL

President Donald Trump on Thursday tapped law school dean R. Alexander Acosta — a former U.S. attorney for the Southern District of Florida, one-time National Labor Relations Board member and the first Hispanic to ascend to the top of the U.S. Department of Justice's Civil Rights Division — to serve as secretary of labor.

Ill. Village Asks 7th Circ. To OK 'Right-to-Work' Rule

The Illinois community whose right-to-work ordinance was struck down by a federal judge last month appealed to the Seventh Circuit this week, arguing that the January decision runs afoul of a Sixth Circuit decision that allowed the

union-weakening statute for counties in Kentucky.

COMPETITION

Gas Station Chain Sues NJ Over Fuel Price Law

Gas station chain Speedway LLC has filed a lawsuit alleging New Jersey's law prohibiting below-cost vehicle-fuel sales is unconstitutional because it violates the common-law right to sell goods at any price upon which the retailer and purchaser agree

PRIVACY & CONSUMER PROTECTION

Calif. Judge Calls Law On Actors' Ages A Free Speech Threat

A California federal judge sided with IMDb.com in a hearing Thursday over a state law forcing the website to remove actors' ages on request, saying the law appeared to violate constitutional free speech protections so clearly that he didn't even need to hear IMDb's arguments for a stay.

CFPB Wins Full DC Circ. Review Of Leadership Ruling

The D.C. Circuit on Thursday granted a request from the Consumer Financial Protection Bureau for a full-panel rehearing of an October decision that ruled the federal consumer finance watchdog's structure unconstitutional.

PRODUCT LIABILITY

Missouri AG Lays Egg Law Appeal In Supreme Court

Missouri Attorney General Josh Hawley said Thursday he has appealed to the U.S. Supreme Court to pluck off a California law that prohibits the sale of eggs from chickens living in conditions that don't meet the Golden State's strict regulations.

GOVERNMENT CONTRACTS

F-35 Program Chief Says Costs Set To Drop Further

Costs of the F-35 fighter jet could soon drop by more than 15 percent, program chief Lt. Gen. Christopher Bogdan told lawmakers Thursday while also confirming that the CEO of Boeing Co. maker of a rival jet, had sat in on a call between President Donald Trump and Bogdan to discuss the program.

INTERNATIONAL TRADE

Chinese Cos. Say Commerce Used Wrong Cost Surrogate

A pair of Chinese chemical companies hit the U.S. Department of Commerce with a U.S. Court of International Trade lawsuit Wednesday, accusing the agency of imposing anti-dumping margins where there'd been none before and using the wrong country as a surrogate for costs.

Dems Leverage Trade Policy In Battle Over Trump's Finances

Democratic lawmakers introduced new legislation Thursday requiring the president to disclose any and all foreign commercial ties before pursuing trade initiatives, tethering the fight over President Donald Trump's finances to one of his signature policy issues.

TAX

'Cultural Services' Tax Exemption Up To EU Members: Court

A European Court of Justice panel dealt a blow to state-recognized "cultural bodies" Wednesday in holding that the British Film Institute isn't automatically entitled to an exemption from the United Kingdom's value added tax on its film screening tickets.

MEDICAL MALPRACTICE

Fla. Supreme Court Declines To Adopt Daubert Standard

The Florida Supreme Court declined Thursday to adopt a measure to bring state court standards for the admissibility of expert witnesses in line with federal courts, over concerns that doing so would undermine the right to a jury trial and inhibit access to the courts.

IMMIGRATION

Senate Bill Will Target Trump's Sanctuary City Order

A group of senators is taking aim at President Donald Trump's executive action targeting internal immigration enforcement that would pull funds from so-called sanctuary cities, Sen. Catherine Cortez Masto, D-Nev., announced on Thursday.

Trump Slams 9th Circ. As Court In 'Chaos,' 'Turmoil'

President Donald Trump slammed the Ninth Circuit on Thursday as a court in "chaos" and "turmoil," claiming at a news conference that the court has been overturned by the Supreme Court "at a record number," a record that's actually held by the Sixth Circuit, according to a recent Politifact study.

Reps. Oppose Extra Layer Of Screening At Canada Border

Six Northern Border Caucus members have cautioned U.S. Department of Homeland Security Secretary John Kelly against a proposal in President Donald Trump's immigration ban that calls for additional screening for U.S.-bound travelers, saying any new security measures along the Canadian border should be coordinated between the two countries.

NATIVE AMERICAN

Sioux Official, Dakota Access Exec Trade Blows Over Pipeline

A Standing Rock Sioux Tribe official and an executive for the Energy Transfer Partners unit behind the Dakota Access pipeline gave dueling accounts of the history of the project to a House subcommittee on Wednesday, as the tribe battles a recent federal decision that paves the way for its completion.

Idaho Tribes Slam Bill To Shut Down Gambling Machines

The Shoshone-Bannock Tribes on Wednesday slammed a bill proposed in the Idaho House of Representatives that would ban tribal video gaming machines in the state, saying the bill would illegally change their deal with Idaho to conduct gambling and likely violate the state constitution.

TELECOMMUNICATIONS

Telco Stripped Of Lifeline Eligibility Asks FCC For More Time

One of the companies stripped by the new Federal Communications Commission of its federal designation to provide Lifeline broadband service for low-income consumers has pushed the FCC to delay the move or risk that thousands of enrolled consumers may not be able to find another provider in time, according to a filing made public Thursday.

Comcast Lobbies FCC To Revive UHF Ownership Limit Break

Cable giant Comcast has pressed the Federal Communications Commission to reverse course from an Obama-era move dropping a break for UHF station owners, asking the new FCC to return to a less stringent media ownership restriction, according to a filing Thursday.

EXPERT ANALYSIS

In Retrospect

Relearning The Lessons Of Korematsu's Case

Fred Korematsu's U.S. Supreme Court case challenging President Franklin Roosevelt's executive order that led to the incarceration of approximately 120,000 people of Japanese ancestry may sound like ancient history. However, Feb. 19 marks the 75th anniversary of the order's signing, and that it's celebrating its diamond anniversary now is breathtaking timing, says Randy Maniloff of White and Williams LLP.

CPSC Civil Penalties: A Statistical Analysis

In 2015, U.S. Consumer Product Safety Commission Chairman Elliot Kaye announced that he had directed CPSC staff to seek "double-digit" penalties from companies found to be in violation of the Consumer Product Safety Act. Kaye appears to have accomplished his stated goal — a statistical analysis of agency fines shows that companies are being punished more severely than before, says Jonathan Judge of Schiff Hardin LLP.

How A General Counsel Should Think About AI: Part 2

General counsels face the challenging task of understanding how companies can navigate the rules surrounding uses of artificial intelligence. To get smart on AI, general counsels must ask the right questions about areas such as human resources, intellectual property, liability and insurance, say Bruce Heiman and Elana Reman of K&L Gates LLP.

LEGAL INDUSTRY

Gorsuch Nomination Hearings To Kick Off In March

Opening statements in a hearing on Judge Neil Gorsuch's nomination to the U.S. Supreme Court will begin on March 20, with questioning of the associate justice-designate commencing

the following day, Senate Judiciary Committee Chairman Chuck Grassley said Thursday.

Analysis

ABA Attorney Ad Rule Revamp Picks Up Steam

With lines drawn in an emerging debate at the American Bar Association over attorney ad and client solicitation rules, advocates and opponents of a proposed plan to dramatically streamline the model regulations agree that it's now less a question of if changes are coming than what form they will take.

Law360's Weekly Verdict: Legal Lions & Lambs

Jones Day snagged this week's top legal lion spot after the law firm one-upped long-time winner Skadden Arps Slate Meagher & Flom LLP on a list of the most recognized U.S. law firm brands while O'Melveny & Myers LLP's week wasn't as sweet after client Google was hit with a \$20 million verdict in a suit over malware protection patents.

Dewey Ex-Finance Head Says Accounting Fix Was Wrong

The former international finance director at Dewey & LeBoeuf LLP testified in Manhattan criminal court on Thursday that one of two ex-Dewey executives facing a fraud retrial asked her to make accounting entries she thought were improper.

NY Needs Fresh Look At Judiciary System, State Bar Says

The New York State Bar Association believes that heavy caseloads and an excessive number of trial courts create a complex and inefficient judicial system in the state, saying in a report Thursday that these issues should be addressed if voters decide this November to hold a constitutional convention in 2019.

JOBS

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From: Public Policy Law360
Sent: Wednesday, February 22, 2017 5:14 AM
To: Rep93
Subject: New EPA Chief Pledges To Change Regulatory, Legal Practices



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Wednesday, February 22, 2017



TOP NEWS

New EPA Chief Pledges To Change Regulatory, Legal Practices

U.S. Environmental Protection Agency Administrator Scott Pruitt on Tuesday emphasized his desire to work collaboratively with career EPA staff and his intention to depart from regulatory and litigation tactics he said sideline industry and state interests.

Incoming Deputy AG Brings High-Profile Criminal Experience

Incoming Deputy Attorney General Rod Rosenstein has spent 90 percent of his career on federal criminal matters including high-profile government misconduct cases, according to materials he provided a Senate panel on Friday.

ABA's Gorsuch Rating Due Out Before Confirmation Hearings

The American Bar Association will release its laborious evaluation of U.S. Supreme Court nominee Neil Gorsuch before his confirmation

LAW FIRMS

Arnold & Associates
Baker Botts
Chadbourne & Parke
Clifford Chance
Cooper & Kirk
Dentons
Dinsmore & Shohl
Gibson Dunn
Goldstein & Russell
Goodwin
Haglund Kelley LLP
Herbert Smith Freehills
Hogen Adams
Husch Blackwell
Keller and Heckman
Kennyhertz Perry
Latham & Watkins
Mauck & Baker
Mayer Brown

hearings kick off on March 20, handing senators a powerful factor for evaluating whether to promote the Tenth Circuit judge to the nation's top bench.

DHS Releases Guidance On Immigration Executive Orders

The U.S. Department of Homeland Security issued memos Tuesday implementing two executive orders from President Donald Trump related to immigration, with the agency laying out the administration's expanded enforcement targets, calling for more officers and suggesting new policy is coming on expedited removals.

Dems Want Trump To Endorse Currency Manipulation Bill

A trio of House Democrats have asked President Donald Trump to go beyond executive action and create tariffs against foreign currency manipulators.

Analysis

Top 4 Groups Lobbying The FCC

As Federal Communications Commission Chairman Ajit Pai approaches one month into his chairmanship, industry stakeholders have begun lobbying the new FCC, advocating on issues such as how to distribute universal service funds and make way for 5G infrastructure. Here, Law360 looks at the top four groups that have filed ex partes in the last month.

III. High Court OKs Exception To Untimely Agency Reviews

The Illinois Supreme Court on Friday ruled that a decision from an administrative agency can be appealed, even if the appeal is late, in instances where the agency violated due process.

New Bill Targets Warrantless GPS Tracking, Stingrays

A bipartisan bill introduced in both houses of Congress on Wednesday would bar the tracking

Morgan Lewis
Munsch Hardt
Norton Rose Fulbright
Perkins Coie
Ropes & Gray
Shulman Rogers
Sidley Austin
Simmons & Simmons
Squire Patton Boggs
Stradley Ronon
Tucker Law Group
Weil Gotshal
Weiner Brodsky

COMPANIES

AT&T Inc.
American Academy of Pediatrics
American Bar Association
American Civil Liberties Union
American Federation of State,
County and Municipal Employees
American Psychological
Association
Apple Inc.
Caterpillar Inc.
Center for American Progress
Center for Biological Diversity Inc.
Delta Air Lines Inc.
Dow Chemical Co.
Facebook
Florida Immigrant Coalition
GLC Business Services Inc.
General Electric Company
Google Inc.
Koch Industries Inc.
Microsoft Corporation
Murray Energy Corp.
National Immigration Law Center
New York Times Co.

of a person using GPS technology without permission or a warrant — particularly law enforcement use of stingray technology that tricks phones into transmitting location information to a third party.

BANKING & SECURITIES

Kan. Stock Promoter Says 10th Circ. Order Blocks SEC Case

A stock promoter filed a lawsuit in Kansas federal court on Tuesday seeking to halt a U.S. Securities and Exchange Commission administrative proceeding against him, saying the judge overseeing his case has already been deemed to violate the U.S. Constitution by the Tenth Circuit.

ENERGY & ENVIRONMENTAL

Virginia's Uranium Mining Ban Upheld By Fourth Circuit

The Fourth Circuit on Friday upheld a lower court's dismissal of a uranium company's lawsuit seeking to overturn a Virginia law banning uranium mining, deciding that there is nothing in the federal Atomic Energy Act that preempts the state from establishing such a moratorium.

GOP Reps Ask EPA To Extend Mining Rule Comment Period

A trio of Republican committee chairmen in the House asked the U.S. Environmental Protection Agency on Friday to extend the comment period on a proposed rule that would require participants in the hardrock mining industry to show they can cover the costs of environmental hazards stemming from their operations.

Timber Co. Fights Obama Expansion Of Oregon Monument

A timber company on Friday challenged former President Barack Obama's proclamation that expanded the Cascade-Siskiyou National Monument, arguing in Oregon federal court that

North American Electric Reliability Corp.

PHH Corporation

Planned Parenthood Federation

Raytheon Company

Tax Foundation

Texas Medical Association

Texas Rangers

The Boeing Company

Twitter Inc.

United States Telecom Association

Zeughauser Group LLC

GOVERNMENT AGENCIES

Bureau of Land Management

Central Intelligence Agency

Consumer Financial Protection Bureau

Department of Commerce

European Commission

Executive Office of the President

Federal Bureau of Investigation

Federal Communications Commission

Federal Deposit Insurance Corp.

Federal Energy Regulatory Commission

Federal Housing Finance Agency

Federal Reserve System

Federal Trade Commission

Financial Crimes Enforcement Network

Illinois Supreme Court

Immigration and Customs Enforcement

Lac du Flambeau Band of Lake Superior Chippewa Indians

National Aeronautics and Space Administration

National Labor Relations Board

the protectionist move conflicted with a congressional decision mandating that some of the land be used for logging.

EPA Can't Second-Guess Texas Ozone Plan, 5th Circ. Told

The U.S. Environmental Protection Agency wrongly rejected Texas' plans to address cross-state emissions in meeting 2008 national ozone standards and trampled over the Lone Star State's authority under the Clean Air Act in imposing a federal substitute, Texas officials told the Fifth Circuit on Friday.

EU Nearing Decision On Extending China Solar Panel Duties

The European Commission is close to drawing its final conclusion regarding extended duties on Chinese solar panels, a commission representative told Law360 on Tuesday.

Enviros Say USFS Ignored Logging Project's Owl Impacts

Environmentalists have asked a California federal judge to stop a U.S. Forest Service-approved logging operation they say harms critical California spotted owl habitat in the state's Tahoe National Forest.

EPA Urges 4th Circ. To Undo Coal Jobs Analysis Order

The U.S. Environmental Protection Agency on Tuesday asked the Fourth Circuit to overturn a federal judge's decision that compels the agency to evaluate the consequences of its air pollution regulations on jobs, arguing there was no Clean Air Act violation that warranted such a remedy.

HEALTH & LIFE SCIENCES

Texas Justices Let Challenge Of Chiropractic Rules Proceed

A Texas appellate court on Friday gave the Texas Association of Acupuncture and Oriental Medicine another shot at challenging the validity

National Security Agency
Nuclear Regulatory Commission
Office of the Comptroller of the Currency
Securities and Exchange Commission
Texas Health and Human Services Commission
Texas Legislature
U.S. Air Force
U.S. Customs and Border Protection
U.S. Department of Agriculture
U.S. Department of Defense
U.S. Department of Energy
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of State
U.S. Department of Transportation
U.S. Department of the Treasury
U.S. Environmental Protection Agency
U.S. Forest Service
U.S. General Services Administration
U.S. Senate
U.S. Supreme Court

of two provisions in the Texas Board of Chiropractic Examiners administrative rules that it believes are invalid because they allow chiropractors to practice acupuncture.

HealthCare.gov Deletions 'Trumpcare By Sabotage,' Dems Say

Leading Democrats from the U.S. Senate committees on Health, Education, Labor and Pensions and Finance on Friday demanded answers from the U.S. Department of Health and Human Services' newly confirmed secretary about why a breakdown of the Affordable Care Act's benefits was removed from HealthCare.gov.

MEDIA & ENTERTAINMENT

Philly Controller Escapes 'Slush Fund' Slander Suit

A Pennsylvania state court judge on Tuesday threw out a lawsuit accusing Philadelphia's city controller of defaming a former city official with remarks about a so-called slush fund in which money primarily from the Philadelphia Marathon was used to pay for pet projects of former Mayor Michael Nutter.

INSURANCE

Ill. Gay Conversion Therapy Ban Exempts Pastors, Judge Says

A coalition of Illinois pastors is claiming victory in its suit over a state law banning conversion therapy for gay youth, saying even though a federal judge tossed the suit on Wednesday, the ruling more or less amounts to what they'd sought in the first place: an order declaring pastors exempt from the law.

EMPLOYMENT

August NLRB Order Restored Discipline Analysis, GC Says

The National Labor Relations Board general counsel's office has penned an advice memo

clarifying the precedent set by an August board decision, saying that businesses must bargain with unions over certain types of serious discipline between the time a bargaining unit is certified and a bargaining agreement is signed.

Iowa Union Sues To Block Collective Bargaining Law

A union representing public sector employees in Iowa filed suit Monday challenging the state's sweeping new law curtailing collective bargaining rights for most public workers, calling it a "draconian" measure that would make it harder for state workers to receive or maintain union representation.

PRIVACY & CONSUMER PROTECTION

EU Regulators Lay Out Plan For Tackling Privacy Shield Rows

Europe's data protection regulators on Monday rolled out a plan for addressing consumer complaints that arise under the new Privacy Shield pact that allows multinationals to transfer data between the EU and U.S., saying at least three authorities would be charged with weighing in on disputes within 60 days.

Mortgage Servicer Rips Efforts To Intervene In CFPB Review

A mortgage servicer that convinced a D.C. Circuit panel that the Consumer Financial Protection Bureau's structure is unconstitutional asked the full court on Friday to reject a bid by advocacy groups, state attorneys general and members of Congress to let them fight the suit if President Donald Trump's Justice Department stops defending against it.

Trump Taps Lt. Gen. McMaster As National Security Adviser

President Donald Trump announced Monday that he has selected Army Lt. Gen. H.R. McMaster as national security adviser, a post that was left empty after Michael Flynn resigned

amid fallout from his dealings with Russian officials.

GOVERNMENT CONTRACTS

Air Force Leaders Urge Congress To Pass Spending Bill

The U.S. Air Force's top civilian and military leaders urged Congress on Monday to pass a defense appropriations bill before the end of fiscal year 2017, saying the use of another continuing resolution through to the end of the year would significantly hurt operational readiness and limit needed improvements.

Texas Barred From Cutting Planned Parenthood Funding

A federal judge on Tuesday barred the state of Texas from pulling Medicaid funds from Planned Parenthood-affiliated clinics, saying the secretly recorded videos the Lone Star State held up as evidence that the clinics were profiting from selling aborted fetal tissue did not actually support the state's claims.

GSA Watchdog Criticizes Tech Unit's IT Security Compliance

A U.S. General Services Administration watchdog on Tuesday criticized the GSA's "startup" unit aimed at improving federal technology, 18F, saying it routinely ignored GSA security requirements for both the procurement and operation of information technology systems.

TAX

CEOs Mobilize To Back Border Adjustment Tax

Chief executives from 16 companies wrote congressional leaders Tuesday in praise of a GOP proposal to dramatically change the U.S. corporate tax code, urging the lawmakers to act boldly in rewriting it.

IMMIGRATION

Senator Questions Border Electronics Searches

A U.S. senator on Monday questioned the government's authority to collect information from people detained at U.S. borders in response to media reports that U.S. Customs and Border Protection officers may be asking for cell phone passcodes and social media handles.

Calif. Judge Lets Halt On Travel Ban For Visa Holders Lapse

A California federal judge on Tuesday declined to extend a temporary restraining order blocking parts of President Donald Trump's immigration ban, saying the TRO's goals had been met and new relief sought by Yemeni immigrants in an amended suit would allow those without visas to "cut in line."

Miami-Dade Nixes Protections For Undocumented Immigrants

The Miami-Dade Commission on Friday voted to uphold an order by the county's mayor eliminating protections from U.S. Customs and Immigration Enforcement detainer requests for undocumented immigrants, despite hundreds of people showing up to express their concern and disapproval.

NATIVE AMERICAN

Ex-Tribal Employees' Gender Bias Claims Tossed

A Wisconsin federal judge on Tuesday tossed suits alleging gender bias and retaliation from two former employees of the Lac du Flambeau Band of Lake Superior Chippewa Indians, ruling that they failed to state a claim and the tribe had sovereign immunity against the suits.

TELECOMMUNICATIONS

FCC Was Right To Drop Set-Top Box Plan, Legislator Says

Rep. Yvette D. Clarke, D-N.Y., has praised a move by the new Federal Communications Commission head to pull back on an Obama-era plan to open up competition in the set-top box market.

AT&T Urges FCC To Nix 'Cadillac' Broadband Expansion Goals

The Federal Communications Commission should seek to fund broadband expansion in as many geographic areas as possible rather than prioritizing high speeds, AT&T said Tuesday, or else consumers in harder-to-reach areas will get left behind.

Group Blasts Industry Move Against FCC Transparency Rules

Broadband providers are inappropriately seeking to evade stepped-up transparency rules under an exemption meant for small providers, an open internet advocacy organization warned the Federal Communications Commission in a filing made public Friday, saying that their request for broad relief for all providers would effectively kill the rules.

EXPERT ANALYSIS

2-For-1 Executive Order Leaves OMB To Work Out Details

While President Donald Trump's recent executive order reducing regulations may seem appealing in its simplicity, the White House has provided agencies with little guidance on its implementation, instructing them to call the Office of Management and Budget with questions. Yet the OMB's ability to provide answers will be impaired by a lack of clear legal standards, say Laurence Platt and Joy Tsai of Mayer Brown LLP.

A Look At DOJ's New Guidance On Compliance Programs

New guidance from the U.S. Department of Justice's Fraud Section puts chief compliance

officers on notice about how the adequacy of their companies' compliance programs is evaluated by prosecutors, say attorneys with Morgan Lewis & Bockius LLP.

How The GDPR Will Impact Life Sciences And Health Care

The European Union's General Data Protection Regulation will considerably increase the sanctions and penalties that can be imposed on organizations that breach its requirements. The implications for organizations operating in the life sciences and health care sectors are likely to be particularly far-reaching, say attorneys with Ropes & Gray LLP.

Legal Pot Industry Bugged By Lack Of Pesticide Guidance

Marijuana cultivation suffers from the same pest and disease pressure as any large commercial greenhouse operation. However, the circumstance unique to this setting is that any use of a pesticide in the cultivation of marijuana is a violation of federal law, says Telisport Putsavage of Putsavage PLLC.

The Quadrennial Energy Review And Grid Security

The most recent installment of the U.S. Department of Energy's Quadrennial Energy Review includes a number of recommendations for physical and cybersecurity protection of the nation's power infrastructure. Although the report recommends developing and implementing "necessary" security measures, it provides limited details in some areas, and does not identify revenue sources for some initiatives, say attorneys from Husch Blackwell LLP.

LEGAL INDUSTRY

Norton Rose Fulbright Inks Deal With Chadbourne

Norton Rose Fulbright and New York-based Chadbourne & Parke LLP will merge in the

second quarter of this year, the firms announced Tuesday.

BigLaw Cost Pressures Fueling Middle East Exits

At least eight BigLaw outposts in the Middle East have been shuttered since 2015, a trend experts say is simply one symptom of the global push by law firms to make ends meet as demand falters and the costs of doing business continue to rise.

Sidley-Authored Report On 9/11-Era Torture Defamatory: Suit

A group of psychologists accused a Sidley Austin LLP attorney of crafting a report for the American Psychological Association that unfairly laid the blame on them for interrogation tactics used by the U.S. military after the 9/11 attacks, saying in an Ohio suit that he ignored evidence and bolstered a story by the doctors' critics.

US Law Firm Expansion Follows The Money, Report Says

Law firms tend to enter regions experiencing rapid growth in emerging corporate sectors by attempting to lure away key partners from other firms, while the days of large regional firms catering to businesses in specific geographic areas are gone, a recent paper said.

Munsch Hardt Co-Founder Dies In Australian Plane Crash

Munsch Hardt Kopf & Harr PC on Tuesday confirmed that one of its founding partners, noted bankruptcy and banking attorney Russell Munsch, was among those killed in a fatal plane crash in Melbourne, Australia, on Monday.

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Law360 | Portfolio Media, Inc, 111 West 19th Street, 5th Floor, New York, NY 10011

From: Ohio Arts Council

Sent: Thursday, February 23, 2017 1:04 PM

To: Rep93

Subject: February ✉ Arts Advocacy, Deadlines, & Webinars

Keep an eye on upcoming grant deadlines, past webinars now available online, and an important message on advocacy.

[View this email in your browser](#)

Share your story with #ArtsOhio



VALUE OF THE ARTS & IMPORTANCE OF ADVOCACY

It's that time of year when we begin to plan for National Arts Advocacy Day on March 20-21 in Washington, DC. It's always important to tell our stories of the economic, educational, and cultural value of the arts, but with a new president and Congress in place, it's especially critical that we communicate the value of federal funding for arts and culture through the National Endowment for the Arts (NEA) – and its direct impact on Ohio's arts and cultural communities.



KEEP READING DONNA'S MESSAGE



OHIO *POETRY OUT LOUD* EXPANDS REGIONALLY

Semifinals are underway in six regions of the state! Meet the *POL* partners near your community and wish the students good luck before the State Finals on March 4.

MEET OUR PARTNERS



MARCH 28 WEBINAR WITH ARTS MIDWEST

Join us to discover funding and learning opportunities with Arts Midwest, including the Arts Midwest Booking and Education Conference and the Arts Midwest Touring Fund.

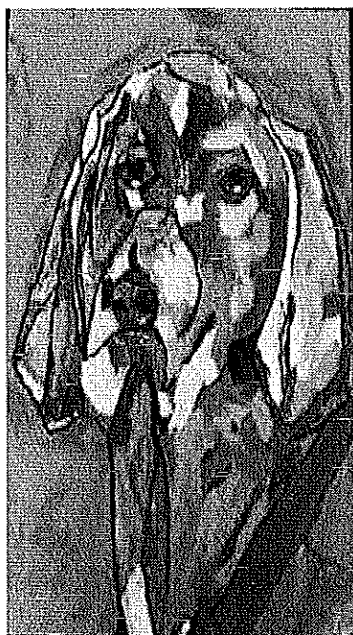
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SUBSCRIBE NOW



SPOTLIGHT: FEATURED ARTISTS AT THE OHIO GOVERNOR'S RESIDENCE

This season's Spotlight exhibition with Ohio First Lady Karen W. Kasich features artwork that inspires and thrives through the creativity of artists with disabilities. In a collaboration with [VSA Ohio](#), the artwork of 17 artists from seven organizations across the state will be on display at the [Governor's Residence](#) until May 2017. Visit oac.ohio.gov/spotlight to view the complete brochure.

MARCH 1

- [Arts Access](#) | General Operating Support for Small Organizations
- [ArtsNEXT](#) | Funding for Bold, Groundbreaking Projects

APRIL 3

- [ArtSTART](#) | General Project Support for Organizations
- Reminder for Sustainability Grantees: Year 3 Updates Due

CONTACTS: Brianna Dance, Organizational Programs Coordinator, brianna.dance@oac.ohio.gov; and Jim Szekacs, Organizational Programs Coordinator, jim.szekacs@oac.ohio.gov

MARCH 1-

- Arts Partnership | Support for Arts Education Projects

CONTACT: Chiquita Mullins Lee, Arts Learning Coordinator, chiquita.mullinslee@oac.ohio.gov

MARCH 15

- Traditional Arts Apprenticeship | Preserving Cultural Heritage through Collaboration
- Heritage Fellowships | Recognizing Ohio Folk and Traditional Artists

CONTACT: Kathy Signorino, Individual Artist Coordinator, kathy.signorino@oac.ohio.gov

Mark Your Calendar

March 4: Ohio Poetry Out Loud State Finals
at the McConnell Arts Center in Worthington

March 20-21: National Arts Advocacy Day in
Washington D.C.

April 5: OAC Spring Board Meeting

April 24: Poetry Out Loud National Finals in
Washington D.C.

May 17: Celebrate Arts Day & Governor's
Awards for the Arts in Ohio in downtown
Columbus

Happening in the OAC Riffe Gallery

Drop-in during lunch for **FREE** workshops
with Melissa Vogely-Woods during
the *Come Along With Me* exhibition. All
levels welcome!

March 8: Poetic text and collage

March 15: Folded book making

March 22: Interactive mail art

March 29: Personal narrative tree project

April 5: Stitched book binding workshop

April 12: Narrative-based collage project

PROFESSIONAL DEVELOPMENT OPPORTUNITY | CAMA Digital Marketing

Bootcamp

Wednesday, March 22, 10 a.m. - 3 p.m. at the Columbus Metropolitan Library (Parsons Branch)

Ceci Dadisman (digital marketer, speaker, nonprofit empowerer) will lead this hands-on, activity-driven session. It will equip you with strategies and methodology on how to best utilize digital marketing and social media for your organization. We'll delve into digital marketing for arts organizations and create a well-rounded and achievable plan for success. You'll learn what platforms have the highest return, how to use them, and how to track the results.

REGISTER ON EVENTBRITE BY MARCH 15 | \$50 Non-CAMA Member Price or \$25 Member Price

Image credits: 1) Ohio POL Partner, Emily Prince, at Stuart's Opera House in Nelsonville; 2) 2015 Arts Midwest Conference in Kansas City, Missouri, photo by Tiffany Rodgers; 3) Carl Loftin, Wimaraner, Acrylic, Summit Developmental Disabilities.



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You are receiving the monthly ArtsOhio newsletter because you signed up on the Ohio Arts Council website, through social media, or in-person at the Ohio Arts Council's Riffe Gallery.

Ohio Arts Council
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Columbus, OH 43215-3414

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From: Public Policy Law360
Sent: Friday, February 24, 2017 4:54 AM
To: Rep93
Subject: High Court Confirmation 'Not The Way It Should Be': Ginsburg



Friday, February 24, 2017



TOP NEWS

High Court Confirmation 'Not The Way It Should Be': Ginsburg

The current U.S. Supreme Court confirmation process has grown too partisan, Justice Ruth Bader Ginsburg said Thursday, as the Senate is gearing up for a fight over President Donald Trump's pick for the high court, Tenth Circuit Judge Neil Gorsuch.

BigLaw Partners Uneasy About Trump Judiciary Comments

Members of the legal community including partners at several BigLaw firms on Thursday expressed concern over statements made by President Donald Trump toward federal judges and courts in the aftermath of an order temporarily blocking his immigration ban from seven Muslim-majority countries, saying the remarks could have "grave consequences."

Law Profs Hit Kellyanne Conway With Misconduct Complaint

A group of law professors and ethics experts this week filed a misconduct complaint against President Trump adviser Kellyanne Conway, arguing that a series of false statements she made in TV interviews "brings shame" to the profession.

Analysis

LAW FIRMS

Arnold & Porter Kaye Scholer
Baker Botts
Bancroft PLLC
Berger & Montague
Bradley
Chadbourn & Parke
Cooley
Cozen O'Connor
Crowell & Moring
Davis Wright Tremaine
Edelson PC
Eric M. Bernstein
Finger & Slanina
Ford & Harrison
Greenberg Traurig
Gunster
Gutridge Safier
Harkins Cunningham
Harman Claytor
Holland & Hart
Holland & Knight
Hunton & Williams
Jackson Lewis
Jenner & Block
Johnson & Bell

GOP Faces Pitched Battle As It Looks To Revise ESA

Having seized control of the presidency and both houses of Congress, Republicans are seeking to amend the Endangered Species Act after years of complaints that it stymies development and limits land use. But lawmakers should take note of previous failed attempts to alter the law, as supporters will fiercely fight any changes they see as weakening it, experts say.

Analysis

Trump's Trans Bathroom Access U-Turn May Not Slow EEOC

Although the Trump administration made waves in rescinding an Obama-era directive that transgender public school students be allowed to use the bathroom of their choice, experts say employers shouldn't assume the U.S. Equal Employment Opportunity Commission will take its foot off the enforcement throttle when it comes to transgender rights in the workplace.

Sessions Ditches Obama Policy Curtailing Private Prison Use

Attorney General Jeff Sessions has reversed a U.S. Department of Justice memo from the Obama administration aimed at curtailing use of private prisons by the federal government, according to a memo sent to the federal Bureau of Prisons on Thursday.

Analysis

Tax Reform Possible Despite Border Adjustment Opposition

Despite growing opposition from retailers and within the GOP's own ranks to a tax reform blueprint that would disallow deductions for import costs, experts are hopeful that a compromise going beyond mere tax cuts is possible.

Ginsburg Bemoans Loss Of Core Values At Book Launch

Joseph Greenwald

K&L Gates

Kane Russell

Kessler Topaz

Kutak Rock

Little Mendelson

Lum Drasco

McGuireWoods

Morrison & Foerster

Munger Tolles

Norton Rose Fulbright

Perkins Coie

Schirmer Diaz-Arrastia

Seyfarth Shaw

Shook Hardy

Sidley Austin

Squire Patton Boggs

Sullivan & Worcester

Surovell Isaacs

Williams Montgomery

Winthrop & Weinstine

COMPANIES

AXA SA

American Bar Association

American Civil Liberties Union

American Federation of Labor and Congress of Industrial Organizations

American Federation of State, County and Municipal Employees

Apple Inc.

BTI Consulting Group Inc.

Black Elk Energy LLC

Citizens for Responsibility and Ethics in Washington

Clearing House Payments Co. LLC

Comcast Corporation

America is not going through the best of times, according to Associate Justice Ruth Bader Ginsburg, who said Thursday that the country has started to drift away from some of its core ideals.

Analysis

Fracking Quakes Could Shake Regulatory Ground In Pa.

The first-of-its-kind link that Pennsylvania environmental regulators recently drew between hydraulic fracturing and a string of minor seismic events detected nearly a year ago could be the first step toward increased monitoring requirements and permitting conditions for drillers.

GOP Lawmaker Wants Flynn To Testify Before Senate Panel

Sen. Susan Collins, R-Maine, said Wednesday that former national security adviser Michael Flynn should testify before the Senate Intelligence Committee, which is investigating alleged Russian interference in the U.S. presidential election.

BANKING & SECURITIES

Canadian Securities Watchdog Launches Regulatory Sandbox

Canadian securities regulators on Thursday launched a so-called regulatory sandbox, allowing companies that use innovative technologies and capital-raising techniques to experiment under fewer regulations, spreading an idea that has gained momentum across Europe and Asia.

Robo-Advisers Must Be Mindful Of Advisers Act, SEC Says

The U.S. Securities and Exchange Commission on Thursday said that "robo-advisers" should be mindful of how the Investment Advisers Act applies to them and their relationship with

Corrections Corporation of America

Facebook

Fannie Mae

Federalist Society

First NBC Bank Holding Co.

Freddie Mac

Geo Group, Inc.

Goldman Sachs Group Inc.

Hilcorp Energy Co.

HuffingtonPost.com LLC

International Bar Association

Koch Industries Inc.

Life Technologies Corporation

Mercedes-Benz

MetLife Inc.

Mexican American Legal Defense and Education Fund

NBCUniversal Inc.

National Immigration Law Center

National Public Radio Inc.

New York Times Co.

Nokia Corporation

Novartis AG

Promega Corp.

Public Knowledge

QUALCOMM Incorporated

Royal Dutch Shell PLC

Sierra Club

Sprint Nextel Corporation

Trump Organization Inc.

Universal Health Services Inc.

Wal-Mart Stores Inc.

Wells Fargo & Co.

GOVERNMENT AGENCIES

Bureau of Safety and

Environmental Enforcement

Centers for Medicare & Medicaid Services

clients since their services are unique from traditional investment advisers.

ENERGY & ENVIRONMENTAL

Sierra Club To Sue EPA For Renewable Fuel Report Absence

The Sierra Club issued a notice of intent to sue the U.S. Environmental Protection Agency on Thursday, saying it had ignored its obligations to analyze the Renewable Fuel Standard by failing to publish an evaluation on air quality or communicate with Congress.

ND, Energy Cos. Ask 8th Circ. To OK \$1.3M Fee In Minn. Row

North Dakota and a coalition of energy companies told the Eighth Circuit on Wednesday that they should receive \$1.3 million in attorneys' fees and costs awarded by a lower court for prevailing in the appeal of a decision invalidating Minnesota's restrictions on out-of-state coal-fired power plants, arguing the figure was justified and mentioning that the other side was sanctioned.

Wood Group To Pay \$9.5M In False Reporting, Explosion Plea

Wood Group PSN Inc. will pay \$9.5 million over allegations of falsely reporting safety inspections and violating the Clean Water Act in connection with the November 2012 explosion at the West Delta 32 offshore facility in the Gulf of Mexico, federal prosecutors said Thursday.

HEALTH & LIFE SCIENCES

Feds To Allow Pre-ACA Policies Through 2018

Federal regulators on Thursday once again granted extra time for consumers to renew health insurance that doesn't fully comply with Affordable Care Act standards, saying the older coverage can run through 2018.

MEDIA & ENTERTAINMENT

Commodity Futures Trading Commission

Congressional Budget Office

Consumer Financial Protection Bureau

Defense Intelligence Agency

Equal Employment Opportunity Commission

European Commission

Executive Office of the President

Federal Acquisition Regulatory Council

Federal Communications Commission

Federal Deposit Insurance Corp.

Federal Energy Regulatory Commission

Federal Housing Finance Agency

Federal Reserve System

Federal Trade Commission

Financial Conduct Authority

Financial Stability Oversight Council

Fish and Wildlife Service

Florida State Senate

Government Accountability Office

Internal Revenue Service

National Credit Union Administration

National Labor Relations Board

National Marine Fisheries Service

North Carolina Wildlife Resources Commission

Office of the Comptroller of the Currency

Office of the Federal Register

Oklahoma Corporation Commission

Oregon Department of Justice

Securities and Exchange Commission

Fla. Senate Readies Gaming Bill, But House Has Other Ideas

The Florida Senate Appropriations Committee's passage of a comprehensive gaming bill to the Senate floor on Thursday raised the prospects for long-sought resolutions to multiple industry issues, but those odds looked longer as a House panel backed a proposal that hews to the status quo and rejects expansion.

Oregon Moves Forward On Bill To Revamp Sports Agent Law

Oregon lawmakers are pushing forward with what could be a first-of-its-kind bill that would significantly expand the definition of who is considered an athlete agent beyond those who negotiate contracts and provide college student-athletes with a specific civil remedy for agent misconduct.

EMPLOYMENT

NJ Doesn't Have To Pay For Ex-Election Official's Defense

A New Jersey state appeals court on Thursday found that the state does not have to cover the defense costs of a former county superintendent of elections in a lawsuit alleging retaliation against three workers because the litigation involves supervising employees and not enforcing election laws.

Former Asst. Atty Wants Firing Suit Reheard By 4th Circ.

A former Fairfax County, Virginia, assistant attorney asked the Fourth Circuit Wednesday for a rehearing of its decision upholding a district court's ruling that she could be fired after being elected to the city council, saying the case presents important issues concerning public employees' First Amendment rights.

III. State Worker Union Members Approve Strike If Needed

Seminole Tribe of Florida
Texas Department of Public Safety
U.S. Department of Defense
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. Environmental Protection Agency
U.S. General Services Administration
U.S. Supreme Court

Illinois' largest public employee union on Thursday announced that its voting members overwhelmingly authorized a strike, should the bargaining committee of AFSCME Council 31 decide to call one in its months-long struggle with Gov. Bruce Rauner over a new contract.

PRIVACY & CONSUMER PROTECTION

Trans Student Presses Bathroom Fight Despite Trump Letter

Transgender student Gavin Grimm pressed on with his challenge of a policy barring him from using the boys' bathroom at his high school on Thursday, telling the U.S. Supreme Court that the Gloucester County School Board rule violates the plain text of Title IX, a day after the Trump administration rescinded Obama-era guidance on trans rights in schools.

Arkansas Supreme Court Strikes City's LGBT Protections

The Supreme Court of Arkansas on Thursday struck down a city ordinance that banned discrimination based on sexual orientation or gender identity, but refused to address whether the state's law stripping local governments of the ability to protect LGBT rights is constitutional.

INTERNATIONAL TRADE

FTC Chair To Take On Job Licensing With New Task Force

The new acting chairwoman of the Federal Trade Commission launched a task force Thursday to tackle state and local licensing requirements that have proliferated in recent years for everyone from hairdressers and makeup artists to interior designers, a new initiative designed to pare down on "dubious" and "ridiculous" requirements threatening economic growth.

TAX

Mnuchin Shares GOP's Optimistic Timeline For Tax Reform

Treasury Secretary Steven Mnuchin exhibited the same ambition as House Republicans Thursday when he expressed a commitment to seeing growth-enhancing tax reform, with an emphasis on cuts for the middle class and business, before Congress leaves for its August recess.

IRS Asked To Create Form To Help Shareholder Compliance

An accounting trade group has urged the IRS to create a new income tax form that would compute a shareholder's basis in the stock and debt of a pass-through corporation, saying that in the past, taxpayers have misreported over \$10 million in losses due to a lack of basis.

IMMIGRATION

Oregon Seeks To Join Wash. Challenge To Trump Travel Ban

Oregon wants in on the lawsuit filed by the state of Washington that challenges President Donald Trump's executive order and its travel ban for certain foreign-born individuals, arguing Wednesday that it seeks to ensure that any relief that arises from the case protects the state and its residents.

Groups Aim To Block Trump From Slashing Refugee Numbers

The International Refugee Assistance Project and others asked a Maryland court Wednesday to stop the government from enforcing part of the travel ban executive order that slashed refugee admission numbers, saying the law doesn't allow a president to force a midyear cutback in refugees.

5th Circ. Reinstates Texas Anti-Immigrant Harboring Law

The Fifth Circuit on Thursday reinstated a Texas law that makes it a felony to harbor unauthorized immigrants, lifting an injunction

that had blocked the 2015 law from taking full effect, in a ruling praised by both the state and immigrant advocates.

TELECOMMUNICATIONS

FCC Approves 1st Foreign Co. Broadcast Station Ownership

The Federal Communications Commission for the first time ever has allowed a fully foreign-owned company to take ownership of 15 U.S. radio broadcast stations, in a decision on Thursday that approved a petition to let an Australian couple take on several stations in Alaska and Texas.

FCC Grants Small-Business Relief From Transparency Rules

The Federal Communications Commission's Republican majority voted Thursday to exempt broadband providers with 250,000 or fewer subscribers from stepped-up transparency rules in the 2015 Open Internet Order as the lone Democratic commissioner objected amid questions of how the GOP will deal with broader net neutrality rules.

FCC Pushed To Ensure Stricter Political Ad Disclosure

In a letter to the Federal Communications Commission on Wednesday, a group of 10 Democratic Congress members encouraged the agency to adopt even stricter disclosure rules for TV stations that run political advertisements.

Public Interest Groups Urge FCC Not To Undermine Lifeline

The NAACP, AFL-CIO and Public Knowledge are among a range of public interest organizations that on Thursday pressed the Federal Communications Commission to reverse course on stripping nine Lifeline low-income broadband providers of eligibility to provide service or risk undercutting the goal of connecting the poor.

EXPERT ANALYSIS

Tax Implications Of The Affordable Care Act Repeal

Because the Affordable Care Act was upheld by the U.S. Supreme Court as a tax law, its repeal would entail a \$1.1 trillion tax revenue loss over 10 years. Based on the direction that the Republicans take in crafting their replacement bill and what portions of the ACA will be repealed, individuals and corporations could be looking at drastic tax changes, say Michael White and Eddie Geraghty of M. White & Associates LLC.

Financial Services In The 1st Month Of Trump Presidency

In the first 30 days of his administration, President Donald Trump issued more than two dozen executive orders, memoranda and proclamations, several of which significantly impact the financial services industry. In addition, policymakers are turning their time and attention to reforming the nation's financial services laws, with a "Choice Act 2.0" likely to be introduced soon, say Matthew Cutts and James Sivon of Squire Patton Boggs LLP.

Challenging Emoluments Clause Violations As A Conspiracy

I'm not confident that trying to hold the Trump Organization liable for President Donald Trump's own constitutional violations will work. But there might be other legal theories under which a state attorney general could argue that Trump-owned companies act unlawfully when they receive emoluments. Consider a core white collar criminal statute — conspiracy to defraud the U.S., says Randall Eliason, a former federal prosecutor.

Inside New FAR Rule On Untimely Payment To Subcontractors

New changes to the Federal Acquisition Regulation impose mandatory reporting requirements on federal prime contractors who

fail to make full and timely payments to their small business subcontractors. Although little more than a month old, this rule already has been the source of considerable confusion, say Aron Beezley and Emily Unnasch of Bradley Arant Boult Cummings LLP.

The Uncertain Future Of PURPA, A Key To Renewable Energy

The Public Utility Regulatory Policies Act was enacted in 1978 to encourage development of alternative energy resources. But PURPA's opponents want to see it amended or repealed. With the law's supporters staying relatively quiet, calls for reform may gain traction with the new Congress and the Trump administration, say attorneys from Crowell & Moring LLP.

LEGAL INDUSTRY

Analysis

5 Rules For RFPs From The People Who Read Them

With the use of RFPs by legal departments at an all-time high, it's crucial that law firms learn how to stand out from the pack and avoid ruffling the feathers of the procurement and legal operations professionals who review the submissions. Here's how they say law firms can make the most of an RFP.

Holland & Knight Protests DQ Bid To Judge's 'Dismay'

A New York federal judge scolded Holland & Knight LLP for a letter it submitted in a case pitting First NBC Bank against ethanol distributor Murex LLC, saying the unsolicited filing contesting a bid to disqualify the firm did not reflect well on it and that its attorneys had "abused the court's courtesy."

Law360's Weekly Verdict: Legal Lions & Lambs

Sidley Austin rose to the top of this week's legal lions list with a win at the U.S. Supreme Court that limits the law's reach on overseas patent

infringement, while K&L Gates met with a less favorable fate when the justices revived a False Claims Act case against its client, Wells Fargo.

Del. Judicial Political Balance Mandate Unfair, Atty Says

A Delaware attorney is challenging a portion of the state's constitution requiring a balance of representation from "major" political parties in state judicial positions, saying in a lawsuit filed in Delaware federal court that the process is unconstitutional and unfairly excludes members of nonmajority parties and independents.

Ill. Law Firm Ex-Clients Can't Arbitrate Privacy Row As Class

A pair of former clients of Illinois law firm Johnson & Bell Ltd. can't arbitrate their claim the firm put their confidential data at risk on behalf of a putative class of Johnson & Bell clients, an Illinois federal judge said Wednesday.

Trial Consultants Q&A: DOAR's Roy Futterman

You can see an attorney have a sudden realization that we move from trial to trial, that we work on many cases in a year and spend weeks in courtrooms. When attorneys realize all of this, they often move us from the kiddie table to the big boy table. Then we pick up a turkey leg and get to work, says Roy Futterman, director at DOAR Inc.

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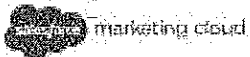
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Sent: Tuesday, February 28, 2017 11:01 AM

To: Rep93

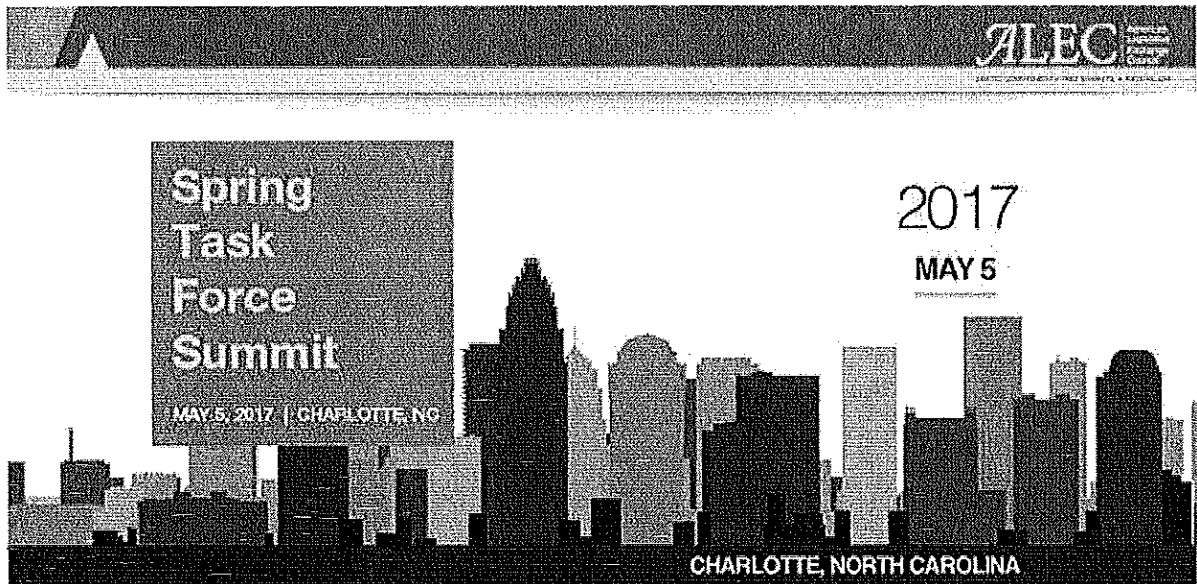
Subject: Center for Student-Based Budgeting Newsletter, February 2017

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From: Courtney Cook
Sent: Wednesday, March 1, 2017 10:36 AM
To: Rep93
Subject: Register NOW - ALEC 2017 Spring Task Force Summit!



Register NOW for the ALEC 2017 Spring Task Force Summit!

The ALEC Spring Task Force Summit is a one-day meeting designed to bring together attendees to discuss and exchange policy proposals. This year the Spring Task Force Summit will be held on May 5th in the heart of southeast, Charlotte, NC.

What to expect at the 2017 Spring Task Force Summit:

Thursday, May 4

1:00-5:00 PM - On-Site Registration Open

Friday, May 5

7:00 AM-4:00 PM - On-Site Registration Open
8:00 AM-12:00 PM - Sub-committee Meetings
8:00 AM-12:00 PM - ALEC Training
9:00 AM-12:00 PM - Joint Board of Directors and Private Enterprise Advisory Council Meeting
12:30-1:30 PM - Task Force Lunches
2:00-5:00 PM - Task Force Meetings
5:00-6:00 PM - North Carolina Welcome Reception

Register now and be a part of the conversation!

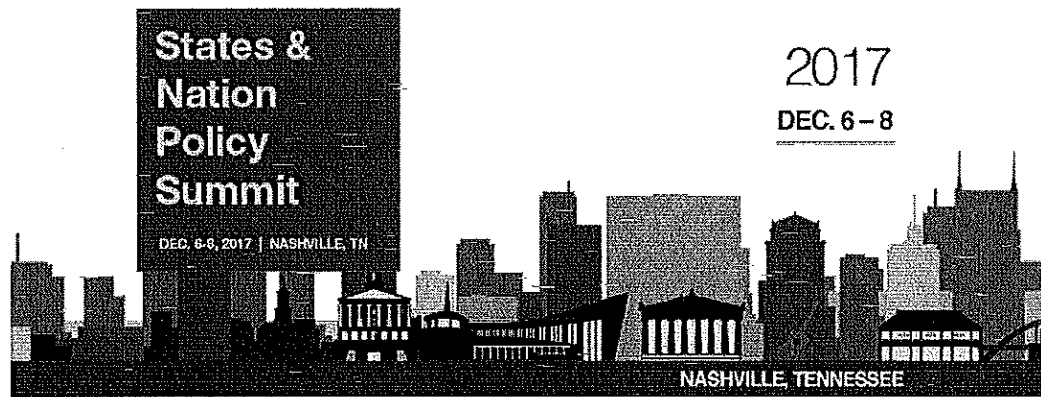
>> REGISTER NOW

After you register, be sure to reserve your hotel room at the ALEC discounted rate!

Exciting changes are happening at ALEC! As a result, you may notice a change in our registration process. If you have any questions, please let us know by contacting our events team by email or phone (571) 482-5155.

Save-the-Date for ALEC 2017 Events





This message was sent to rep93@ohiohouse.gov from:

Courtney Cook | CCook@alec.org | ALEC | 2900 Crystal Drive, 6th Floor |
Arlington, VA 22202

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From: Lynette
Sent: Saturday, March 4, 2017 5:05 PM
Subject: HJR2 - Legacy

Dear Representative,

The Convention of States Project is a **marketing schema** existing to bring an Article V convention to fruition. They **are conflating the issue** of state conventions with an Article V convention.¹ They are not the same. You must learn what the opposition is saying FROM the opposition.

There are many credible scholars who disagree with the Convention of States Project. One example is Dr. Edwin Vieira Jr who holds 4 degrees from Harvard. For over 36 years he has been a practicing attorney specializing in cases that raise issues of constitutional law. **Dr. Vieira has successfully argued or briefed cases leading to landmark decisions in the U.S. Supreme Court.** Vieira has written numerous monographs and articles in scholarly journals, and lectured throughout the country. Surely we can agree Vieira is a respected, capable and credible source. This is a 20 minute candid interview with Dr. Vieira discussing the Convention of States Project's application. Vieira "unpacks" it citing the flaws. **Even if you disagree with him there is no way around this being "a boondoggle heyday for lawyers."**

"Dr. Edwin Vieira on Article V" 0

Here: <https://www.youtube.com/watch?v=Ymlgk4JA5PQ>

This clip is of COSProject's **Mr. Mark Meckler testifying** last year in a Montana committee hearing. The Republican Chairman asked Mr. Meckler questions about our amendment history and ratification that **Mark Meckler admitted he did not know.** What else doesn't he know?

"State Legislatures can be bypassed"

3:30 min.

Here: <https://www.youtube.com/watch?v=HZrJeaEZfF8>

COSProject's Attorney Robert Natelson cites the *Leser v Garnett* ruling incorrectly saying the Necessary and Proper Clause does not apply to Article V when **the ruling calls the Art V process a "federal function."** Delegates are NOT state controlled as he said. Please listen to Robert Natelson in this 4 min video debunking. The ruling is linked in the description.

"Did Natelson Lie about Article V?"

4 mins.

Here: <https://www.youtube.com/watch?v=Vo00q3T6uq4>

The Assembly Of State Legislatures (ASL) is working to bring an Article V convention to fruition. The Convention of States Project has announced the ASL news on their website. COSProject's Senior Legislative Advisor, Utah's Rep. Ken Ivory is involved in it as well as others supporting the COS. Pro convention leader, Indiana's Pro Tempore David Long is a founder of the organization and on the Executive Committee. Senator Long authored and passed one of the first Art V convention companion legislations conceding what the opposition has been saying. It states how Indiana will proceed **"unless established otherwise" by the convention.**

Indiana's companion legislation Act No. 225; Chapter 3, Sec. 3 (a) (2)

"Unless established otherwise by the rules and procedures of an Article V convention, "

Bill info

here: <http://www.in.gov/apps/lsa/session/billwatch/billinfo?year=2013&request=getBill&docno=225>

Please listen to ASL member and COSProject champion say they are all "speculating" on the process and that their rules are NOT BINDING on the convention or its delegates.

"BREAKING! Legislator Admits Con Con Lie!"

2 mins

Here: <https://www.youtube.com/watch?v=RTANv-VkEaM&feature=youtu.be>

ASL website here: <http://www.assemblystatelegislatures.com/executive-committee.html>

As thoughtfully as it was said, the ASL is another **marketing ploy** to allay concerns and trick folks into supporting an Article V convention that has been correctly warned about for decades.

Who is right? **Who will settle the disputes?** COSProject's attorney Robert Natelson says there will be legal battles all along the way. ² It is ironic that one of the foremost complaints COSProject leader Michael Farris has is with our judicial system and **the rogue Supreme Court ³ - the same Supreme Court that will rule on these matters!**

For the Convention of States Project's plan to go the way they say, they must be right 100% of the time and win every legal battle. **For it all to fall apart the opposition only has to be right once.**

Please work to stop any and all efforts working to bring an Art. V convention to fruition. The application language only serves to meet the Article V convention threshold for Congress to convene the convention. Make no mistake, the convention does not need to "runaway." **COSProject Staff Counsel says their application opens up 90% of the Constitution for change.** There's no need to runaway. Doubly so when you understand that "limit" does not mean things are "reduced."

"Convention of States Admit Article V Application not Limited." 0

11:11 mins

<https://www.youtube.com/watch?v=kCApyUYvuRE&index=24&list=PLeknTV2zZz6vAFzX1a2qPiAkm176B2ACi>

There are some well-intended people. There are those passing the buck. And then there are some seeking to go down in history. I can't help but wonder if the eagerness for legacy is stopping some from realizing **their legacy might be that they were easily duped.**

How can anyone trust this process at this time?

How can we trust we will know good amendments considering all the manipulation?

How do we know that ratification will not be plagued with the same shenanigans and misguidance?

I urge you to vote no to HJR2 and work against all applications and efforts working to bring an Article V convention to fruition at this time.

Respectfully submitted,

Lynette Indiana

Citations:

(1) The Convention of States Project is a lobbying organization that exists to bring an Article V convention to fruition. They are intentionally **conflating the issue of "state conventions" and the Constitution's Article V "convention for proposing amendments"**. Those things are not the same. It does not help the confusion when over the decades we have all casually used the word "call" incorrectly when referring to the states? 9 actions of filing applications for an Article V convention, and many

still do. This matters in context of the delegate companion bills because you cannot build on a faulty foundation.

States have constitutionally gotten together over the centuries at "conventions" to discuss a wide variety of issues. That is fine. What states have not, and cannot do is "call" the Constitution's Article V convention for proposing amendments and therefore they cannot control the "convention for proposing Amendments." If the states do not control the convention they cannot control the delegate selection or the delegates.

(Even the COSProject's Attorney and considered Art V convention "expert" Robert Natelson agrees the delegates write the rules for the convention citing "state conventions."
(Here: https://www.youtube.com/watch?v=GZvVy_42Cac. Notice he mentions the ASL's rules that were debunk above and are *rules that the COSProject themselves did not even use* during their mock convention.)

The Constitution's Article V language reads that states may "apply" to Congress and CONGRESS "calls" the convention and that convention is at Congress's discretion. That is reinforced by the Constitution's Article 1, Sec. 8, Clause 18, the Necessary and Proper Clause.

There has never been an Art V convention for proposing amendments called. Never. And there is only one Art V convention that will propose amendments to the U.S. Constitution and we (the opposition) assure you everyone is talking about the same process.

We do not need esoteric knowledge to **grammatically breakdown Article V**. If we strip away the parts in the clause, then, the subject, verb, and direct object would read "*Congress...shall call a Convention...? D.* "Convention of States" is nowhere in there.

COSProject has coined this "convention of states" jargon to infer they are one and the same and that the states would "control" such a convention, and to avoid the commonly used term "con con," which JBS, Eagle Forum, and others have successfully warned of the dangers for over a quarter century. The "*Convention of States Project*" had to rebrand what they are selling to confuse folks and allay their fears of a potentially unlimited convention.

(2) "Say No to an Article V Convention with Peter Boyce"

Professor Robert Natelson speaking to ALEC members saying, ..."I would like to remind you of the possibility of lawsuits all along the line. Anything the convention

does that is even arguably legal can and will be challenged in the courts and contrary to what you may have heard, the court is willing to accept Article V disputes."

25 second section tagged to start at the 48:31 min mark

Here: <https://youtu.be/4P2xRwipCbo?t=48m31s>

(3) COSProject co-founder Michael Farris wants to change our judicial system to be like the European Courts of Human Rights. Adding judges to the Supreme Court will not prevent them from making rogue decisions contrary to the "newly-amended" Constitution, nor will it make Congress "check" those rogue decisions by legislatively reversing those decisions as they currently have the power to do, or in extreme cases, by impeaching those justices on the court who insist on violating their oaths, **as they currently have the power to do.**

"Michael Farris's 0 Ironic Plan To Remake The Supreme Court"

By Brian Tashman | March 4, 2014

Here: <http://www.rightwingwatch.org/post/michael-farris-ironic-plan-to-remake-the-supreme-court/>

FDR's "Court Packing" Scheme Now an Inspiration for the Convention of States

MICHELLE HORSTMAN's 0 JULY 3, 2015

Here: <http://freedomoutpost.com/fdrs-court-packing-scheme-now-an-inspiration-for-the-convention-of-states/>

(I apologize or the ads on this cite but Google identifies its reputation as "trustworthy")

end.

From: Public Policy Law360
Sent: Wednesday, March 8, 2017 4:47 AM
To: Rep93
Subject: GOP Leaders Defend ACA Repeal Bill Amid Backlash



Wednesday, March 8, 2017



TOP NEWS

GOP Leaders Defend ACA Repeal Bill Amid Backlash

Amid criticism from both within their party and across the aisle, Republican leaders defended their plans to repeal the Affordable Care Act Tuesday, a day after revealing a plan backed by President Donald Trump.

Trump Taps Ex-Jones Day Partner For Solicitor General Post

President Donald Trump on Tuesday announced his intent to nominate Noel Francisco, until recently a Jones Day partner and currently the acting solicitor general, to serve as the next U.S. solicitor general, confirming rumors that have swirled for weeks about his possible appointment.

Kirkland Attorneys Land White House Legal Posts

Several former Kirkland & Ellis LLP attorneys nabbed legal jobs in President Donald Trump's administration as the White House on Tuesday officially announced the latest batch of additions to the president's counsel office.

DAG Hopeful Resists Queries On Trump-Russia Investigator

LAW FIRMS

Arent Fox
Baker McKenzie
Bangs McCullen
Best Best
Boies Schiller
Brann & Isaacson
Brownstein Hyatt
Cleary Gottlieb
Clifford Chance
Covington & Burling
Cravath Swaine
Davis Polk
Debevoise & Plimpton
Dewey & LeBoeuf
Donohue Brown
Earthjustice
Epstein Becker Green
Eversheds Sutherland
Frost Brown Todd
Gibson Dunn
Goldstein & Russell
Goodwin
Greenberg Traurig
Haynes and Boone
Hogan Lovells

The nominee for U.S. deputy attorney general, Rod Rosenstein, resisted calls to commit to assigning a special prosecutor to look into the Trump administration's contacts with Russian officials, saying at his confirmation hearing Tuesday that he will think about it once on the job.

Analysis

3 Employer Takeaways From The ACA Repeal Proposal

Congressional Republicans on Monday unveiled their long-awaited plan to repeal and replace the Affordable Care Act, a proposal that would change the legal landscape for large businesses by scrapping the requirement to provide health coverage to employees or face penalties. Here, experts identify three takeaways for employers from the proposed worker health care overhaul.

Dems Blast Gorsuch's Record On Workers, Disability Rights

Senate Democrats on Tuesday pounced on Judge Neil Gorsuch's decision in a disability rights case involving a cancer-stricken college professor to paint the judge as an "ultraconservative" unfit for the Supreme Court, trying to foment opposition to his nomination ahead of confirmation hearings taking place later this month.

Analysis

House Bill Could Inject Med Mal Reforms Into ACA Fight

A federal bill to cap noneconomic damages in medical malpractice cases would be a game changer, but its passage faces obstacles that make success unlikely, according to experts, some of whom say the bill's true purpose is for inclusion in the broader package to repeal the Affordable Care Act.

Hawaii Becomes 1st State To Challenge New Immigration Ban

The state of Hawaii, aided by a litigation team from Hogan Lovells, appears to be the first state

Holland & Knight
Hunton & Williams
Jackson Lewis
Jenner & Block
Jones Day
Kennerly Loutey
Kilpatrick Townsend
King & Spalding
Kirkland & Ellis
LeClairRyan
Linklaters
Manko Gold
Marashlian & Donahue
Morgan Lewis
Morrison & Foerster
Morvillo Abramowitz
O'Melveny & Myers
Paul Hastings
Perkins Coie
Pillsbury Winthrop
Priddy Cutler
Pryor Cashman
Reed Smith
Ropes & Gray
Segal Roitman
Seward & Kissel
Skadden
Slaughter and May
Sullivan & Cromwell
Weiner Brodsky
Williams & Connolly
Zuckert Scoutt

COMPANIES

Air Line Pilots Association
International
Alliance of Automobile
Manufacturers
America's Health Insurance Plans

to challenge President Donald Trump's revised executive order banning people from six Muslim-majority countries from entering the United States, telling a Hawaii federal-court it plans to file a temporary restraining order along with an updated-complaint.

Congress Passes NASA Reform, Reauthorization Bill

Congress passed a reform and reauthorization bill Tuesday for NASA, sending a measure to President Donald Trump that includes support for an eventual Mars mission and the International Space Station.

Analysis

New Model Regs For Taxing Services May Lead To Lawsuits

The Multistate Tax Commission's new model regulations for determining how businesses should apportion their income to different states has raised constitutional concerns among tax practitioners who say the recommendations, if adopted, could lead to conflicts between states and service providers.

BANKING & SECURITIES

DC Circ. Rejects Motions To Intervene In CFPB Litigation

The D.C. Circuit on Tuesday denied bids by both backers of the Consumer Financial Protection Bureau, including Democratic members of Congress and state attorneys general, and bureau opponents to involve themselves in a high-stakes appeal of a ruling that could alter the bureau's leadership structure.

ENERGY & ENVIRONMENTAL

Congress' Axing Of BLM Planning Rule Sent Along To Trump

The Senate on Tuesday passed its most recent in a series of resolutions targeting late rules from former President Barack Obama's

American College of Physicians
American Federation of Labor and Congress of Industrial Organizations
American Health Care Association
American Hospital Association
American Medical Association Inc.
Association of American Medical Colleges
CSX Corporation
Centene Corporation
Competitive Carriers Association
Consumer Reports
Cray Inc
Ford Motor Company
Grant Thornton LLP
Immigration Reform Law Institute
International Brotherhood of Electrical Workers
International Brotherhood of Teamsters
King Pharmaceuticals Inc.
LexisNexis Group
Major League Baseball Inc.
Miami Marlins
National Association of Broadcasters
National Association of Insurance Commissioners
National Conference of State Legislatures
National Congress of American Indians
Newegg Inc.
Overstock.com Inc.
PHH Corporation
Pacific Legal Foundation
Pfizer Inc.
Pharmaceutical Care Management Association

administration, this one aimed at undoing the Bureau of Land Management's new land-planning regime, and sent it to President Donald Trump for his signature.

Senate Dems Ask EPA To Keep Vehicle Emissions Standards

A group of 12 Senate Democrats wrote a letter to U.S. Environmental Protection Agency Administrator Scott Pruitt on Tuesday in support of keeping emission standards for light-duty vehicles, arguing the rules should stay in place to help the environment and reduce dependency on foreign oil.

Fishermen Challenge Obama's Atlantic Marine Monument

A coalition of New England fishermen organizations on Tuesday sued the federal government over former President Barack Obama's designation of an oceanic national monument that they say will harm commercial fishing in the area.

EPA Can't Ignore Mercury Rule Mistakes, DC Circ. Told

Environmentalists and electric industry groups on Monday took their final swings at the U.S. Environmental Protection Agency's mercury rule for coal-fired power plants in the D.C. Circuit, insisting the agency wrongly rejected their bids to alter the rule.

HEALTH & LIFE SCIENCES

Epic Backlash Greet's ACA Repeal Plan

House Republicans on Tuesday encountered swift and sweeping resistance to their Affordable Care Act repeal plan, with powerful industry groups and diverse conservative voices expressing opposition.

Clearing Medicare Backlog Quickly Is Impossible, HHS Says

The U.S. Department of Health and Human Services won't be able to meet a court-imposed

Reed Elsevier
S&P Global Inc.
Samsung Electronics Co. Ltd.
Southern California Edison
Texas Rangers
Twitter Inc.
U.S. Chamber of Commerce
Uber Technologies Inc.
United States Steel Corporation
Verizon Communications
Wayfair LLC

GOVERNMENT AGENCIES

Agua Caliente Band of Cahuilla Indians
Bureau of Indian Affairs
Bureau of Labor Statistics
Bureau of Land Management
California Department of Insurance
California Environmental Protection Agency
Central Intelligence Agency
Cherokee Nation
Congressional Budget Office
Consumer Financial Protection Bureau
Executive Office for Immigration Review
Executive Office of the President
Federal Aviation Administration
Federal Communications Commission
Florida House of Representatives
Indian Health Service
Internal Revenue Service
National Aeronautics and Space Administration
National Highway Traffic Safety Administration

deadline to clear a backlog of Medicare billing appeals unless it settles the claims without actually seeing if they have merit, the agency told a D.C. federal court Monday.

Trump's Rule To Stabilize ACA Draws Praise, Warnings

The Trump administration on Tuesday heard vastly different perspectives on its ideas for stabilizing Affordable Care Act marketplaces, with consumers, insurers and regulators diverging on proposals for restricting enrollment and easing network oversight.

MEDIA & ENTERTAINMENT

MLB Execs Testify As Ballplayer Smuggling Trial Continues

An agent and a trainer accused of helping smuggle Cuban ballplayers to the United States commenced their defense Tuesday by calling Texas Rangers General Manager Jon Daniels and other baseball executives to testify at their federal trial in Miami after the judge rejected their motions for acquittal.

Fla. Court Declares State Lottery Contract Void

A Florida judge handed the leader of the state's House of Representatives a win Tuesday by declaring the state lottery department's 14-year contract for ticket vending machines void because the department did not get legislative approval first.

TRANSPORTATION & INFRASTRUCTURE

Norwegian Air Can Intervene In DC Circ. Air Permit Row

Norwegian Air Shuttle ASA's Irish subsidiary can intervene in a suit brought by a coalition of pilots and flight attendants unions challenging the U.S. Department of Transportation's controversial decision to grant the airline a

National Labor Relations Board
National Railroad Passenger Corporation

National Security Council
Office of the Director of National Intelligence

Pascua Yaqui Tribe

Securities and Exchange Commission

South Dakota Department of Revenue

Tennessee Legislature

Transportation Security Administration

U.S. Attorney's Office

U.S. Department of Defense

U.S. Department of Energy

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Housing and Urban Development

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of Transportation

U.S. Department of the Interior

U.S. Environmental Protection Agency

U.S. House of Representatives

U.S. Office of Personnel Management

U.S. Railroad Retirement Board

U.S. Senate

U.S. Supreme Court

foreign air carrier permit, the D.C. Circuit has decided.

DC Circ. Asked To Halt Santa Monica Runway Reduction

General aviation groups asked the D.C. Circuit on Monday to halt Santa Monica's plans to shorten its airport runway to shut out jets as allowed under the California city's approved plan to close the airfield by 2029, a pact with the Federal Aviation Administration that airport proponents argue is legally invalid.

Unions Slam Railroads' Bid To Preempt Mass. Sick Leave Law

A group of labor unions that represent railway workers told the First Circuit on Monday that a lower court wrongly deemed a Massachusetts paid sick leave law to be preempted by federal law, as the latter was designed to preempt only laws that would duplicate longer-term disability benefits.

EMPLOYMENT

6th Circ. Denies Rehearing On County's Right-To-Work Law

The Sixth Circuit on Monday declined to revisit as a full body a November panel ruling that a Kentucky county's right-to-work ordinance is allowed by the National Labor Relations Act, leaving the door open for local governments to enact such measures where no statewide law exists.

PRIVACY & CONSUMER PROTECTION

Gretchen Carlson, Dems Push Bids To Ax Forced Arbitration

Former Fox News anchor Gretchen Carlson and a group of Democratic lawmakers pitched legislation that would keep mandatory arbitration clauses out of employment and other consumer contracts, saying at a news

conference Tuesday that arbitration protects corporations from facing their ills.

INTERNATIONAL TRADE

Senate Panel Will Examine US Trade Rep Nominee Next Week

The Senate Finance Committee on Tuesday announced that it will hold a hearing on March 14 to consider the nomination of Skadden Arps Slate Meagher & Flom LLP trade attorney Robert Lighthizer to serve as the next U.S. trade representative.

TAX

SD Sales Tax Law Edges Closer To Hearing In Top Court

A South Dakota law imposing sales taxes on certain out-of-state retailers inched closer to the Supreme Court on Tuesday when a state circuit court tossed a lawsuit to compel online retailers to pay the tax, finding the suit fails as a matter of law.

Pa. Auditor Says Marijuana Can Help Close Budget Shortfall

Pennsylvania's auditor general called for the full legalization, and taxation, of marijuana Monday as a way to tackle the state's projected \$3 billion budget shortfall and to address the social and fiscal costs of policing the drug and pursuing criminal charges against users.

Water Agency Can't Revive Challenge To Tribal-Land Tax Rule

The Ninth Circuit held Tuesday that a California water agency was not injured by a federal regulation it argued might keep it from collecting certain taxes and fees from non-Indians who lease reservation lands, affirming the toss of the agency's challenge.

IMMIGRATION

Trump's Hiring Freeze Doesn't Touch Immigration Judges

President Donald Trump's recent federal employee hiring freeze does not affect federal immigration judges, the Executive Office for Immigration Review has said, marking the latest clarification on how the president's budget-cutting agenda will be implemented.

Immigration Group Wants In On Visa Rule Challenge Suit

An advocacy group for high-skilled immigrants has asked to intervene in an appeal at the D.C. Circuit brought by Save Jobs USA over a decision upholding a new rule that would allow spouses of certain H-1B workers to apply for employment authorization, saying the rule was validly implemented but may no longer be defended by the federal government under President Trump.

NATIVE AMERICAN

Tenn. Judge Nixes Native Groups' Suit Over State Recognition

A Tennessee federal judge on Monday tossed a suit by three Native American groups claiming the state violated their constitutional rights by reneging on a state commission's decision to recognize them as tribes, saying Tennessee hadn't waived its Eleventh Amendment immunity to those claims.

TELECOMMUNICATIONS

Trump Renominates FCC's Pai To Continue As Chairman

President Donald Trump has nominated Federal Communications Commission Chairman Ajit Pai to a second term at the agency, the commission announced on Tuesday.

Analysis

FCC's Robocall Plan To Benefit From Rare Bipartisanship

Federal Communications Commission Chairman Ajit Pai's planned proposal to expand the tools for combating illegal robocalls builds from a President Barack Obama-era initiative, and experts say it's expected to gain rare agreement across party lines and between government and industry.

Broadcasters Ask FCC To Make Post-Auction Deadline Flexible

The National Association of Broadcasters has urged the Federal Communications Commission to make its timeline for repacking broadcasters after the incentive auction flexible, saying viewers could be at risk of losing service.

EXPERT ANALYSIS

Shining A Light On GOP Plan For Health Care Reform

Since the election of President Trump and Republican majorities in the House and the Senate, there has been a strong push to repeal and replace the Affordable Care Act. However, there has been little detail as to what "repeal" or "replace" actually mean. Recent developments provide some clarity, say members of Debevoise & Plimpton LLP.

The Need To Preserve And Expand Tribal VAWA Jurisdiction

Given the new administration's penchant for rolling back progressive civil rights and social justice victories achieved under the Obama administration, the fight to reauthorize the Violence Against Women Act looms large. VAWA provides crucial protection for Native American women, who are victims of violent crime more than any other demographic, primarily at the hands of non-Natives, says Becky Howlett of Kilpatrick Townsend & Stockton LLP.

NY Employers Can't Avoid Overtime And Minimum Wage Regs

When a district court judge in Texas enjoined the U.S. Department of Labor's federal overtime rule last year many employers breathed a sigh of relief. However, there are many states, like New York, that have expressed a real intent to fill the void and make sure that labor protections continue, say Joshua Zuckerberg and LaKeisha Caton of Pryor Cashman LLP.

LEGAL INDUSTRY

Largest Firms' Rates Pull Further Ahead Of The Pack

The split is growing between partner billing rates at the largest law firms and the lower tiers, even at other relatively large firms, a report based on 2016 billing data has found.

Morgan Lewis Launches Remote-Work Option For Associates

Morgan Lewis & Bockius LLP on Tuesday announced a formal remote-working program for associates.

Ex-BigLaw Atty's Pfizer Tip Shared Among Friends, Jury Told

The trial of a former Hunton & Williams patent partner who allegedly leaked inside information about a Pfizer deal continued Tuesday as a cooperating witness who pled guilty to trading on the intel told jurors the details about how the tip ended up in his hands — and how it was eventually discovered.

Dewey Star Cooperator Set To Take Stand At Fraud Retrial

The former director of finance at Dewey & LeBoeuf LLP and star cooperating witness for the government is due to take the witness stand Thursday in the retrial of two top Dewey executives accused of running a massive accounting fraud scheme at the firm.

Cleary Gottlieb Raises UK First-Year Pay To £120K

Pay for Cleary Gottlieb Steen & Hamilton LLP's first-year London associates continues to rise, with salaries climbing from £96,000 in 2015 to £105,000 last year and finally reaching £120,000 this month, a firm spokesman said Tuesday, putting its associates among the top-paid first-year lawyers in the U.K.

JOBS

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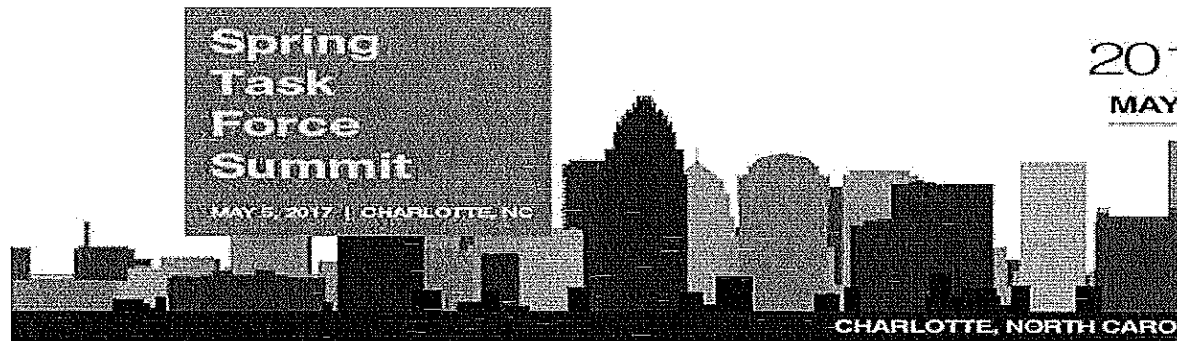
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From: Courtney Cook

Sent: Wednesday, March 8, 2017 3:47 PM

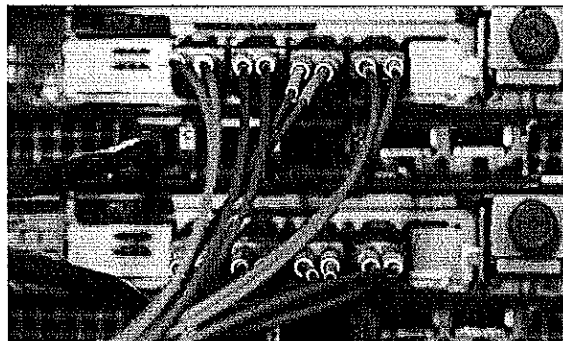
To: Rep93

Subject: See What's Happening at the ALEC Spring Meeting!



Have you heard...

The ALEC Communications and Technology Task Force is excited to hear from Commissioner of the Federal Communications Commission, Micheal O'Rielly. Commissioner O'Rielly comes from an extensive background in banking, technology, transportation, trade and commerce issues. You do not want to miss this!



Be on

**Registration
Annual Meeting
on April 3.**

Save

**Annual Meeting
Denver, CO**

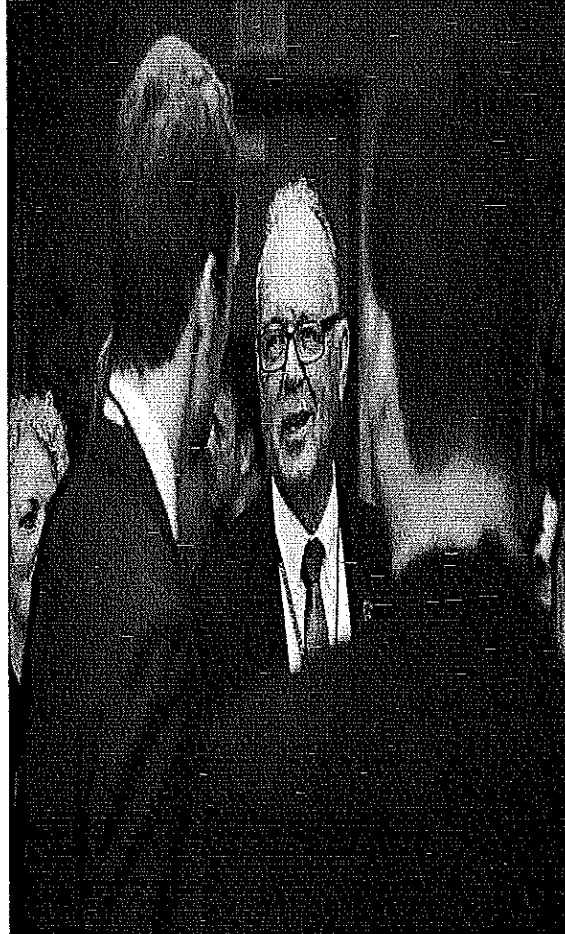
**States and
Summit
Nashville, TN**

Get there early...

ALEC is excited to host a reception for our Center for Innovation and Technology. Grab your badge and join us before you hit the town for dinner on Thursday, May 4 from 4:30 PM - 6:00 PM at the hotel.

Have

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Subject: FCC's Auction Outcome Is Victim Of Sky-High Expectations



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Wednesday, February 15, 2017



TOP NEWS

FCC's Auction Outcome Is Victim Of Sky-High Expectations

The Federal Communications Commission crossed an important finish line in its broadcast incentive auction Friday as a phase of bidding ended, and experts say inflated revenue expectations stoked by the FCC are clouding a result that delivers on the goal of repurposing spectrum for wireless use.

Acting SEC Chair Signals Shift To Ease Disclosure Rules

Acting U.S. Securities and Exchange Commission Chairman Michael Piwowar has taken aim at certain thorny disclosures required by Dodd-Frank by inviting input on such rules for conflicts minerals and executive-pay ratios, steps that attorneys say could lighten the reporting regime for public companies as a deregulatory spirit gains momentum.

LAW FIRMS

Akin Gump
Baker Donelson
Baldwin Crocker
Bracewell
Bredhoff & Kaiser
Carlton Fields
Cohen Weiss
Cooley
Cravath Swaine
Davis Polk
Dechert
Dewey & LeBoeuf
Dorsey & Whitney
Foley & Lardner
Gibson Dunn
Hogan Lovells
Holwell Shuster
Hunton & Williams
Jenner & Block

McMahon Approved To Lead Small Business Administration

The Senate approved President Donald Trump's pick of wrestling magnate Linda McMahon to head the Small Business Administration in a bipartisan vote Tuesday.

Analysis

Flynn's Exit Could Stall Russia Sanctions Relief

The abrupt departure of National Security Adviser Michael Flynn amid allegations of improper contact with Russian officials has only added to the cascade of uncertainties surrounding the Trump administration and how aggressively it will move to dismantle sanctions on Moscow.

Sens. Issue Calls For Russia Probes After Flynn Steps Down

A bipartisan group of senators renewed calls Tuesday for a special congressional investigation into alleged Russian interference with the U.S. presidential election after National Security Adviser Michael Flynn resigned amid fallout from his dealings with Russian officials, while Democrats additionally called for a criminal probe.

Chicago Schools Sue Over 'Discriminatory' State Funding

Chicago Public Schools sued Gov. Bruce Rauner and the state of Illinois Tuesday, alleging the way in which the state funds public schools discriminates against the city's majority-minority population of public school children and violates state and federal civil rights laws.

Law Schools, Bar Group Denounce Trump Attacks On Judges

The blowback from President Donald Trump's criticisms of federal judges related to his executive order on immigration has not abated, with the International Bar Association and two law school deans recently excoriating the

Kaplan Kirsch
Kirkland & Ellis
Kreis Enderle
LaRocca Hornik
Latham & Watkins
Lewis Reed
Morrison & Foerster
Pepper Hamilton
Pierce Atwood
Ropes & Gray
Seward & Kissel
Shearman & Sterling
Simpson Thacher
Skadden
Sullivan & Cromwell
Willkie Farr
Zuckert Scoutt

COMPANIES

ASC Communications
AT&T Inc.
Aetna Inc.
America Fujikura Ltd.
American Bar Association
American Beverage Association
American Civil Liberties Union
American Federation of Labor and Congress of Industrial Organizations
American Federation of State, County and Municipal Employees
American Petroleum Institute Inc.
American Thoracic Society
CVR Energy Inc.
Chevron Corporation
Computer & Communications Industry Association
Financial Services Roundtable
Goldman Sachs Group Inc.
Google Inc.

president's comments about judges and the judiciary.

BANKING & SECURITIES

Warren Asks About Lobbyists' Sway On Trump Bank Orders

Sen. Elizabeth Warren on Tuesday sent letters to the White House, the U.S. Department of Labor and the bankers' advocacy group Financial Services Roundtable asking whether government officials "inappropriately consulted" with banking industry lobbyists while developing President Donald Trump's recent executive order and memorandum on financial regulation.

Trump Signs Repeal Of SEC Payment Disclosure Rule

President Donald Trump on Tuesday signed off on legislation that nixed a U.S. Securities and Exchange Commission rule requiring oil and gas extraction companies to disclose their payments to foreign governments, marking the first time in 16 years that a president utilized the Congressional Review Act to overturn a predecessor's rule.

Yellen Rebuts Trump's Claim That Dodd-Frank Hobbled Banks

Federal Reserve Chair Janet Yellen said Tuesday that she plans to work with the Trump administration to see where regulations on banks can be eased, but took issue with the president's characterization that banks are not lending due to the Dodd-Frank Act.

Special Master Deals Fla. Loss In Water Fight With Ga.

A U.S. Supreme Court-appointed special master dealt Florida a loss Tuesday in its fight with Georgia over use of water from the Apalachicola-Chattahoochee-Flint River Basin when he recommended that the court deny Florida's request to cap its neighbor's water usage.

Human Rights Campaign
Humana Inc.
Icahn Enterprises L.P.
International Bar Association
International Swaps and Derivatives Association
Johnson & Johnson
Koch Industries Inc.
L-3 Communications Holdings Inc.
Lockheed Martin
National Basketball Association
National Collegiate Athletic Association
National Federation of Independent Business
National Public Radio Inc.
National Right to Work Legal Defense Foundation
National Women's Law Center
Natural Resources Defense Council
Oracle Corp.
Pacific Legal Foundation
Planned Parenthood Federation
SIFMA
The Boeing Company
The Coca-Cola Company
Time Inc.
Trump Organization Inc.
Twitter Inc.
U.S. Chamber of Commerce
United States Telecom Association
Verizon Communications
Washington Post Co.
Wells Fargo & Co.
World Wrestling Entertainment, Inc.

GOVERNMENT AGENCIES

CFTC Gives Dealers More Time On Swaps Rule

The U.S. Commodity Futures Trading Commission said Monday that it will give swaps dealers a grace period to come into compliance with new rules on swap collateral requirements, after multiple industry groups said they were struggling to meet the March 1 deadline.

ENERGY & ENVIRONMENTAL

Texas Wants 5th Circ. To Review EPA's Sulfur Dioxide Rule

Texas asked the Fifth Circuit on Monday to review a U.S. Environmental Protection Act final action that found parts of the state had too much sulfur dioxide in the air, saying the agency's move will cost the state money unnecessarily and is an example of regulatory overreach.

Senate Dems Push To Delay Pruitt Vote, Question Icahn Links

Democratic members of the Senate Environment Committee on Tuesday pushed to delay a confirmation vote for President Donald Trump's pick to lead the U.S. Environmental Protection Agency, saying they need to review a pending open records lawsuit against the nominee, while other Senate Democrats demanded more information on Carl Icahn's role in the Trump administration.

Feds Sued Over Endangered Bumblebee Protection Delay

The Natural Resources Defense Council sued the federal government on Tuesday over the suspension of a rule that would put the rusty patched bumblebee on the endangered species list, saying the government's delay of the listing's effective date denies the bee essential legal protection.

Colorado AG Sues Boulder County Over Oil Drilling Ban

Agricultural Marketing Service
Army Corps of Engineers
Bureau of Citizenship and Immigration Services
Bureau of Indian Affairs
Bureau of Land Management
California Department of Food and Agriculture
California Natural Resources Agency
Commodity Futures Trading Commission
Congressional Budget Office
Consumer Financial Protection Bureau
Defense Intelligence Agency
Department of Commerce
Executive Office of the President
Federal Acquisition Regulatory Council
Federal Aviation Administration
Federal Bureau of Investigation
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Energy Regulatory Commission
Federal Railroad Administration
Federal Reserve System
Fish and Wildlife Service
Florida Attorney General's Office
Florida Department of Environmental Protection
Illinois Supreme Court
Internal Revenue Service
National Economic Council
National Labor Relations Board
National Railroad Passenger Corporation
National Security Council

EXPERT ANALYSIS

Tax Implications Of The Affordable Care Act Repeal

Because the Affordable Care Act was upheld by the U.S. Supreme Court as a tax law, its repeal would entail a \$1.1 trillion tax revenue loss over 10 years. Based on the direction that the Republicans take in crafting their replacement bill and what portions of the ACA will be repealed, individuals and corporations could be looking at drastic tax changes, say Michael White and Eddie Geraghty of M. White & Associates LLC.

Financial Services In The 1st Month Of Trump Presidency

In the first 30 days of his administration, President Donald Trump issued more than two dozen executive orders, memoranda and proclamations, several of which significantly impact the financial services industry. In addition, policymakers are turning their time and attention to reforming the nation's financial services laws, with a "Choice Act 2.0" likely to be introduced soon, say Matthew Cutts and James Sivon of Squire Patton Boggs LLP.

Challenging Emoluments Clause Violations As A Conspiracy

I'm not confident that trying to hold the Trump Organization liable for President Donald Trump's own constitutional violations will work. But there might be other legal theories under which a state attorney general could argue that Trump-owned companies act unlawfully when they receive emoluments. Consider a core white collar criminal statute — conspiracy to defraud the U.S., says Randall Eliason, a former federal prosecutor.

Inside New FAR Rule On Untimely Payment To Subcontractors

New changes to the Federal Acquisition Regulation impose mandatory reporting requirements on federal prime contractors who

fail to make full and timely payments to their small business subcontractors. Although little more than a month old, this rule already has been the source of considerable confusion, say Aron Beezley and Emily Unnasch of Bradley Arant Boult Cummings LLP.

The Uncertain Future Of PURPA, A Key To Renewable Energy

The Public Utility Regulatory Policies Act was enacted in 1978 to encourage development of alternative energy resources. But PURPA's opponents want to see it amended or repealed. With the law's supporters staying relatively quiet, calls for reform may gain traction with the new Congress and the Trump administration, say attorneys from Crowell & Moring LLP.

LEGAL INDUSTRY

Analysis

5 Rules For RFPs From The People Who Read Them

With the use of RFPs by legal departments at an all-time high, it's crucial that law firms learn how to stand out from the pack and avoid ruffling the feathers of the procurement and legal operations professionals who review the submissions. Here's how they say law firms can make the most of an RFP.

Holland & Knight Protests DQ Bid To Judge's 'Dismay'

A New York federal judge scolded Holland & Knight LLP for a letter it submitted in a case pitting First NBC Bank against ethanol distributor Murex LLC, saying the unsolicited filing contesting a bid to disqualify the firm did not reflect well on it and that its attorneys had "abused the court's courtesy."

Law360's Weekly Verdict: Legal Lions & Lambs

Sidley Austin rose to the top of this week's legal lions list with a win at the U.S. Supreme Court that limits the law's reach on overseas patent

infringement, while K&L Gates met with a less favorable fate when the justices revived a False Claims Act case against its client, Wells Fargo.

Del. Judicial Political Balance Mandate Unfair, Atty Says

A Delaware attorney is challenging a portion of the state's constitution requiring a balance of representation from "major" political parties in state judicial positions, saying in a lawsuit filed in Delaware federal court that the process is unconstitutional and unfairly excludes members of nonmajority parties and independents.

Ill. Law Firm Ex-Clients Can't Arbitrate Privacy Row As Class

A pair of former clients of Illinois law firm Johnson & Bell Ltd. can't arbitrate their claim the firm put their confidential data at risk on behalf of a putative class of Johnson & Bell clients, an Illinois federal judge said Wednesday.

Trial Consultants Q&A: DOAR's Roy Futterman

You can see an attorney have a sudden realization that we move from trial to trial, that we work on many cases in a year and spend weeks in courtrooms. When attorneys realize all of this, they often move us from the kiddie table to the big boy table. Then we pick up a turkey leg and get to work, says Roy Futterman, director at DOAR Inc.

JOBS

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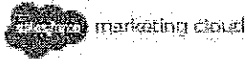
From: Lisa Snell

Sent: Tuesday, February 28, 2017 11:01 AM

To: Rep93

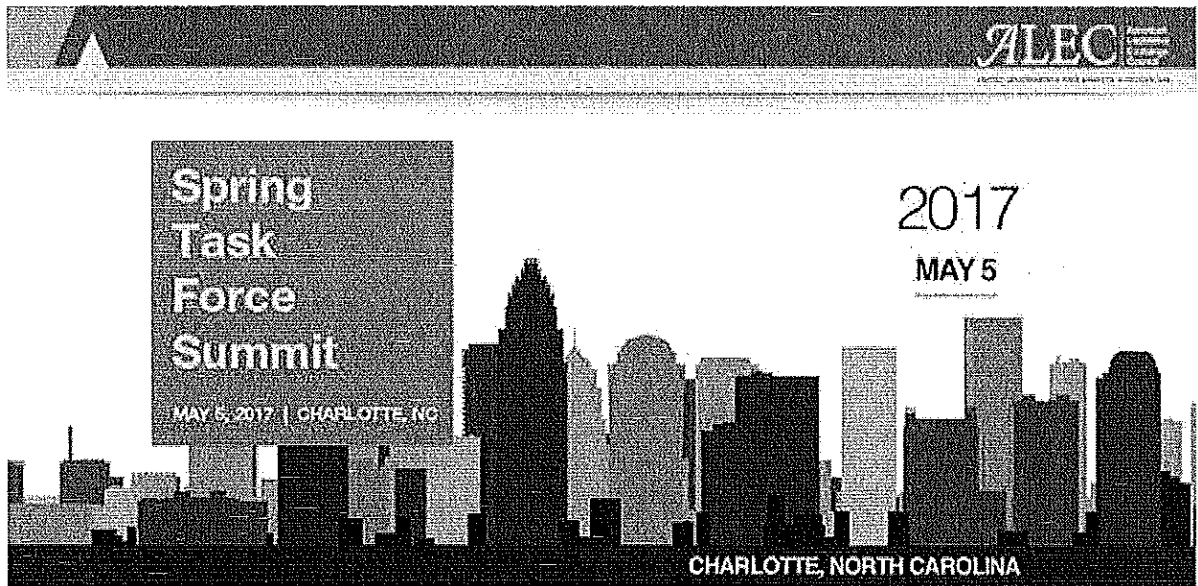
Subject: Center for Student-Based Budgeting Newsletter, February 2017

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From: Courtney Cook
Sent: Wednesday, March 1, 2017 10:36 AM
To: Rep93
Subject: Register NOW - ALEC 2017 Spring Task Force Summit!



Register NOW for the ALEC 2017 Spring Task Force Summit!

The ALEC Spring Task Force Summit is a one-day meeting designed to bring together attendees to discuss and exchange policy proposals. This year the Spring Task Force Summit will be held on May 5th in the heart of southeast, Charlotte, NC.

What to expect at the 2017 Spring Task Force Summit:

Thursday, May 4

1:00-5:00 PM - On-Site Registration Open

Friday, May 5

7:00 AM-4:00 PM - On-Site Registration Open
8:00 AM-12:00 PM - Sub-committee Meetings
8:00 AM-12:00 PM - ALEC Training
9:00 AM-12:00 PM - Joint Board of Directors and Private
Enterprise Advisory Council Meeting
12:30-1:30 PM - Task Force Lunches
2:00-5:00 PM - Task Force Meetings
5:00-6:00 PM - North Carolina Welcome Reception

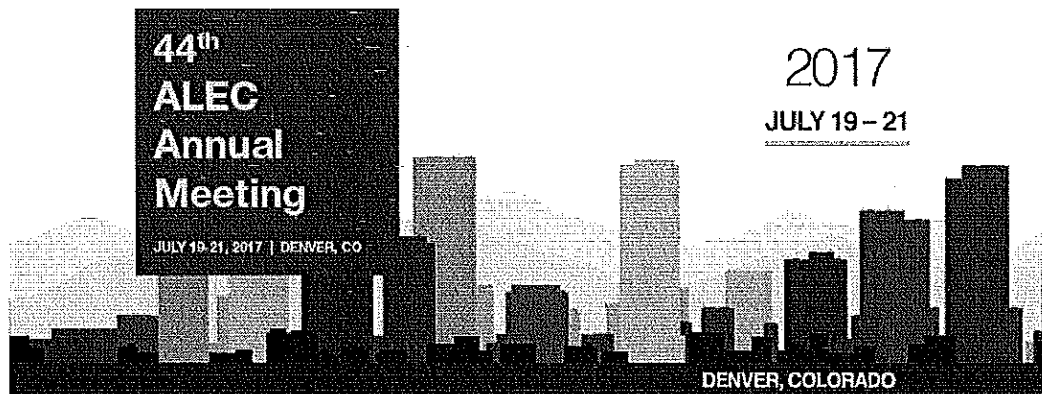
Register now and be a part of the conversation!

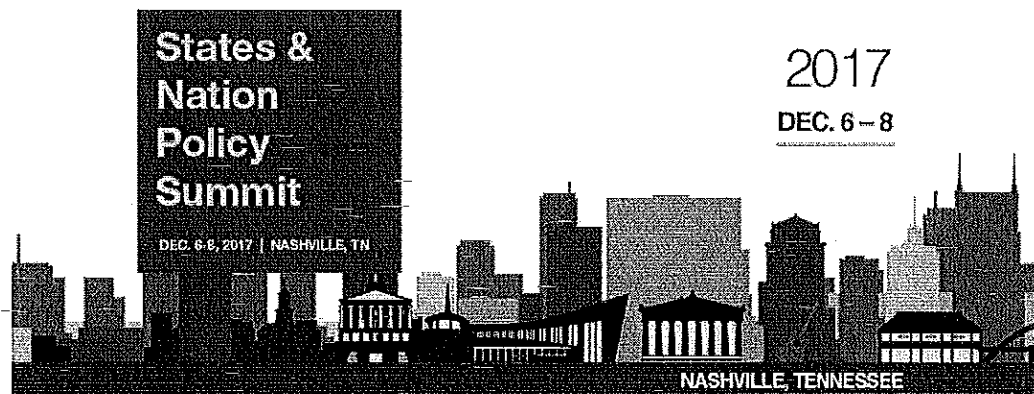
>> REGISTER NOW

After you register, be sure to reserve your hotel room at the
ALEC discounted rate!

Exciting changes are happening at ALEC! As a result, you may notice a change in our registration process. If you have any questions, please let us know by contacting our events team by email or phone (571) 482-5155.

Save-the-Date for ALEC 2017 Events





This message was sent to rep93@ohiohouse.gov from:

Courtney Cook | CCook@alec.org | ALEC | 2900 Crystal Drive, 6th Floor |
Arlington, VA 22202

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From: Lynette
Sent: Saturday, March 4, 2017 5:05 PM
Subject: HJR2 - Legacy

Dear Representative,

The Convention of States Project is a **marketing schema** existing to bring an Article V convention to fruition. They **are conflating the issue** of state conventions with an Article V convention.¹ They are not the same. You must learn what the opposition is saying FROM the opposition.

There are many credible scholars who disagree with the Convention of States Project. One example is Dr. Edwin Vieira Jr who holds 4 degrees from Harvard. For over 36 years he has been a practicing attorney specializing in cases that raise issues of constitutional law. **Dr. Vieira has successfully argued or briefed cases leading to landmark decisions in the U.S. Supreme Court.** Vieira has written numerous monographs and articles in scholarly journals, and lectured throughout the country. Surely we can agree Vieira is a respected, capable and credible source. This is a 20 minute candid interview with Dr. Vieira discussing the Convention of States Project's application. Vieira "unpacks" it citing the flaws. **Even if you disagree with him there is no way around this being "a boondoggle heyday for lawyers."**

"Dr. Edwin Vieira on Article V" 0

Here: <https://www.youtube.com/watch?v=Ymlgk4JA5PQ>

This clip is of COSProject's **Mr. Mark Meckler testifying** last year in a Montana committee hearing. The Republican Chairman asked Mr. Meckler questions about our amendment history and ratification that **Mark Meckler admitted he did not know.** What else doesn't he know?

"State Legislatures can be bypassed"

3:30 min.

Here: <https://www.youtube.com/watch?v=HZrJeaEZfF8>

COSProject's Attorney Robert Natelson cites the Leser v Garnett ruling incorrectly saying the Necessary and Proper Clause does not apply to Article V when **the ruling calls the Art V process a "federal function."** Delegates are NOT state controlled as he said. Please listen to Robert Natelson in this 4 min video debunking. The ruling is linked in the description.

"Did Natelson Lie about Article V?"

4 mins.

Here: <https://www.youtube.com/watch?v=Vo00q3T6uq4>

The Assembly Of State Legislatures (ASL) is working to bring an Article V convention to fruition. The Convention of States Project has announced the ASL news on their website. COSProject's Senior Legislative Advisor, Utah's Rep. Ken Ivory is involved in it as well as others supporting the COS. Pro convention leader, Indiana's Pro Tempore David Long is a founder of the organization and on the Executive Committee. Senator Long authored and passed one of the first Art V convention companion legislations conceding what the opposition has been saying. It states how Indiana will proceed **"unless established otherwise" by the convention.**

Indiana's companion legislation Act No. 225; Chapter 3, Sec. 3 (a) (2)

"Unless established otherwise by the rules and procedures of an Article V convention, "

Bill info

here: <http://www.in.gov/apps/lssa/session/billwatch/billinfo?year=2013&request=getBill&docno=225>

Please listen to ASL member and COSProject champion say they are all "speculating" on the process and that their rules are NOT BINDING on the convention or its delegates.

"BREAKING! Legislator Admits Con Con Lie!"

2 mins

Here: <https://www.youtube.com/watch?v=RTANv-VkEaM&feature=youtu.be>

ASL website here: <http://www.assemblystatelegislatures.com/executive-committee.html>

As thoughtfully as it was said, the ASL is another **marketing ploy** to allay concerns and trick folks into supporting an Article V convention that has been correctly warned about for decades.

Who is right? **Who will settle the disputes?** COSProject's attorney Robert Natelson says there will be legal battles all along the way. ² It is ironic that one of the foremost complaints COSProject leader Michael Farris has is with our judicial system and **the rogue Supreme Court ³ - the same Supreme Court that will rule on these matters!**

For the Convention of States Project's plan to go the way they say, they must be right 100% of the time and win every legal battle. **For it all to fall apart the opposition only has to be right once.**

Please work to stop any and all efforts working to bring an Art. V convention to fruition. The application language only serves to meet the Article V convention threshold for Congress to convene the convention. Make no mistake, the convention does not need to “runaway.” **COSProject Staff Counsel says their application opens up 90% of the Constitution for change.** There’s no need to runaway. Doubly so when you understand that “limit” does not mean things are “reduced.”

“Convention of States Admit Article V Application not Limited.” 0

11:11 mins

<https://www.youtube.com/watch?v=kCApyUYvuRE&index=24&list=PLeknTV2zZz6vAFzX1a2qPiAkm176B2ACi>

There are some well-intended people. There are those passing the buck. And then there are some seeking to go down in history. I can’t help but wonder if the eagerness for legacy is stopping some from realizing **their legacy might be that they were easily duped.**

How can anyone trust this process at this time?

How can we trust we will know good amendments considering all the manipulation?

How do we know that ratification will not be plagued with the same shenanigans and misguidance?

I urge you to vote no to HJR2 and work against all applications and efforts working to bring an Article V convention to fruition at this time.

Respectfully submitted,

Lynette Indiana

Citations:

(1) The Convention of States Project is a lobbying organization that exists to bring an Article V convention to fruition. They are intentionally **conflating the issue of “state conventions” and the Constitution’s Article V “convention for proposing amendments”**. Those things are not the same. It does not help the confusion when over the decades we have all casually used the word “call” incorrectly when referring to the states’ 9 actions of filing applications for an Article V convention, and many

still do. This matters in context of the delegate companion bills because you cannot build on a faulty foundation.

States have constitutionally gotten together over the centuries at "conventions" to discuss a wide variety of issues. That is fine. What states have not, and cannot do is "call" the Constitution's Article V convention for proposing amendments and therefore they cannot control the "convention for proposing Amendments." If the states do not control the convention they cannot control the delegate selection or the delegates.

(Even the COSProject's Attorney and considered Art V convention "expert" Robert Natelson agrees the delegates write the rules for the convention citing "state conventions."
(Here: https://www.youtube.com/watch?v=GZvVy_42Cac. Notice he mentions the ASL's rules that were debunk above and are *rules that the COSProject themselves did not even use* during their mock convention.)

The Constitution's Article V language reads that states may "apply" to Congress and CONGRESS "calls" the convention and that convention is at Congress's discretion. That is reinforced by the Constitution's Article 1, Sec. 8, Clause 18, the Necessary and Proper Clause.

There has never been an Art V convention for proposing amendments called. Never. And there is only one Art V convention that will propose amendments to the U.S. Constitution and we (the opposition) assure you everyone is talking about the same process.

We do not need esoteric knowledge to **grammatically breakdown Article V**. If we strip away the parts in the clause, then, the subject, verb, and direct object would read "*Congress...shall call a Convention...? D.* "Convention of States" is nowhere in there.

COSProject has coined this "convention of states" jargon to infer they are one and the same and that the states would "control" such a convention, and to avoid the commonly used term "con con," which JBS, Eagle Forum, and others have successfully warned of the dangers for over a quarter century. The "*Convention of States Project*" had to rebrand what they are selling to confuse folks and allay their fears of a potentially unlimited convention.

(2) "Say No to an Article V Convention with Peter Boyce"

Professor Robert Natelson speaking to ALEC members saying, ..."I would like to remind you of the possibility of lawsuits all along the line. Anything the convention

does that is even arguably legal can and will be challenged in the courts and contrary to what you may have heard, the court is willing to accept Article V disputes."

25 second section tagged to start at the 48:31 min mark

Here: <https://youtu.be/4P2xRwipCbo?t=48m31s>

(3) COSProject co-founder Michael Farris wants to change our judicial system to be like the European Courts of Human Rights. Adding judges to the Supreme Court will not prevent them from making rogue decisions contrary to the "newly-amended" Constitution, nor will it make Congress "check" those rogue decisions by legislatively reversing those decisions as they currently have the power to do, or in extreme cases, by impeaching those justices on the court who insist on violating their oaths, **as they currently have the power to do.**

"Michael Farris's 0 Irony Plan To Remake The Supreme Court"

By Brian Tashman | March 4, 2014

Here: <http://www.rightwingwatch.org/post/michael-farris-ironic-plan-to-remake-the-supreme-court/>

FDR's "Court Packing" Scheme Now an Inspiration for the Convention of States

MICHELLE HORSTMAN's 0 JULY 3, 2015

Here: <http://freedomoutpost.com/fdrs-court-packing-scheme-now-an-inspiration-for-the-convention-of-states/>

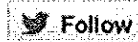
(I apologize for the ads on this cite but Google identifies its reputation as "trustworthy")

end.

From: Public Policy Law360
Sent: Wednesday, March 8, 2017 4:47 AM
To: Rep93
Subject: GOP Leaders Defend ACA Repeal Bill Amid Backlash



Wednesday, March 8, 2017



TOP NEWS

GOP Leaders Defend ACA Repeal Bill Amid Backlash

Amid criticism from both within their party and across the aisle, Republican leaders defended their plans to repeal the Affordable Care Act Tuesday, a day after revealing a plan backed by President Donald Trump.

Trump Taps Ex-Jones Day Partner For Solicitor General Post

President Donald Trump on Tuesday announced his intent to nominate Noel Francisco, until recently a Jones Day partner and currently the acting solicitor general, to serve as the next U.S. solicitor general, confirming rumors that have swirled for weeks about his possible appointment.

Kirkland Attorneys Land White House Legal Posts

Several former Kirkland & Ellis LLP attorneys nabbed legal jobs in President Donald Trump's administration as the White House on Tuesday officially announced the latest batch of additions to the president's counsel office.

DAG Hopeful Resists Queries On Trump-Russia Investigator

LAW FIRMS

Arent Fox
Baker McKenzie
Bangs McCullen
Best Best
Boies Schiller
Brann & Isaacson
Brownstein Hyatt
Cleary Gottlieb
Clifford Chance
Covington & Burling
Cravath Swaine
Davis Polk
Debevoise & Plimpton
Dewey & LeBoeuf
Donohue Brown
Earthjustice
Epstein Becker Green
Eversheds Sutherland
Frost Brown Todd
Gibson Dunn
Goldstein & Russell
Goodwin
Greenberg Traurig
Haynes and Boone
Hogan Lovells

The nominee for U.S. deputy attorney general, Rod Rosenstein, resisted calls to commit to assigning a special prosecutor to look into the Trump administration's contacts with Russian officials, saying at his confirmation hearing Tuesday that he will think about it once on the job.

Analysis

3 Employer Takeaways From The ACA Repeal Proposal

Congressional Republicans on Monday unveiled their long-awaited plan to repeal and replace the Affordable Care Act, a proposal that would change the legal landscape for large businesses by scrapping the requirement to provide health coverage to employees or face penalties. Here, experts identify three takeaways for employers from the proposed worker health care overhaul.

Dems Blast Gorsuch's Record On Workers, Disability Rights

Senate Democrats on Tuesday pounced on Judge Neil-Gorsuch's decision in a disability rights case involving a cancer-stricken college professor to paint the judge as an "ultraconservative" unfit for the Supreme Court, trying to foment opposition to his nomination ahead of confirmation hearings taking place later this month.

Analysis

House Bill Could Inject Med Mal Reforms Into ACA Fight

A federal bill to cap noneconomic damages in medical malpractice cases would be a game changer, but its passage faces obstacles that make success unlikely, according to experts, some of whom say the bill's true purpose is for inclusion in the broader package to repeal the Affordable Care Act.

Hawaii Becomes 1st State To Challenge New Immigration Ban

The state of Hawaii, aided by a litigation team from Hogan Lovells, appears to be the first state

Holland & Knight
Hunton & Williams
Jackson Lewis
Jenner & Block
Jones Day
Kennerly Loutey
Kilpatrick Townsend
King & Spalding
Kirkland & Ellis
LeClairRyan
Linklaters
Manko Gold
Marashlian & Donahue
Morgan Lewis
Morrison & Foerster
Morvillo Abramowitz
O'Melveny & Myers
Paul Hastings
Perkins Coie
Pillsbury Winthrop
Priddy Cutler
Pryor Cashman
Reed Smith
Ropes & Gray
Segal Roitman
Seward & Kissel
Skadden
Slaughter and May
Sullivan & Cromwell
Weiner Brodsky
Williams & Connolly
Zuckert Scoutt

COMPANIES

Air Line Pilots Association
International
Alliance of Automobile
Manufacturers
America's Health Insurance Plans

to challenge President Donald Trump's revised executive order banning people from six Muslim-majority countries from entering the United States, telling a Hawaii federal court it plans to file a temporary restraining order along with an updated complaint.

Congress Passes NASA Reform, Reauthorization Bill

Congress passed a reform and reauthorization bill Tuesday for NASA, sending a measure to President Donald Trump that includes support for an eventual Mars mission and the International Space Station.

Analysis

New Model Regs For Taxing Services May Lead To Lawsuits

The Multistate Tax Commission's new model regulations for determining how businesses should apportion their income to different states has raised constitutional concerns among tax practitioners who say the recommendations, if adopted, could lead to conflicts between states and service providers.

BANKING & SECURITIES

DC Circ. Rejects Motions To Intervene In CFPB Litigation

The D.C. Circuit on Tuesday denied bids by both backers of the Consumer Financial Protection Bureau, including Democratic members of Congress and state attorneys general, and bureau opponents to involve themselves in a high-stakes appeal of a ruling that could alter the bureau's leadership structure.

ENERGY & ENVIRONMENTAL

Congress' Axing Of BLM Planning Rule Sent Along To Trump

The Senate on Tuesday passed its most recent in a series of resolutions targeting late rules from former President Barack Obama's

American College of Physicians.
American Federation of Labor and Congress of Industrial Organizations
American Health Care Association
American Hospital Association
American Medical Association Inc.
Association of American Medical Colleges
CSX Corporation
Centene Corporation
Competitive Carriers Association
Consumer Reports
Cray Inc
Ford Motor Company
Grant Thornton LLP
Immigration Reform Law Institute
International Brotherhood of Electrical Workers
International Brotherhood of Teamsters
King Pharmaceuticals Inc.
LexisNexis Group
Major League Baseball Inc.
Miami Marlins
National Association of Broadcasters
National Association of Insurance Commissioners
National Conference of State Legislatures
National Congress of American Indians
Newegg Inc.
Overstock.com Inc.
PHH Corporation
Pacific Legal Foundation
Pfizer Inc.
Pharmaceutical Care Management Association

administration, this one aimed at undoing the Bureau of Land Management's new land-planning regime, and sent it to President Donald Trump for his signature.

Senate Dems Ask EPA To Keep Vehicle Emissions Standards

A group of 12 Senate Democrats wrote a letter to U.S. Environmental Protection Agency Administrator Scott Pruitt on Tuesday in support of keeping emission standards for light-duty vehicles, arguing the rules should stay in place to help the environment and reduce dependency on foreign oil.

Fishermen Challenge Obama's Atlantic Marine Monument

A coalition of New England fishermen organizations on Tuesday sued the federal government over former President Barack Obama's designation of an oceanic national monument that they say will harm commercial fishing in the area.

EPA Can't Ignore Mercury Rule Mistakes, DC Circ. Told

Environmentalists and electric industry groups on Monday took their final swings at the U.S. Environmental Protection Agency's mercury rule for coal-fired power plants in the D.C. Circuit, insisting the agency wrongly rejected their bids to alter the rule.

HEALTH & LIFE SCIENCES

Epic Backlash Greet's ACA Repeal Plan

House Republicans on Tuesday encountered swift and sweeping resistance to their Affordable Care Act repeal plan, with powerful industry groups and diverse conservative voices expressing opposition.

Clearing Medicare Backlog Quickly Is Impossible, HHS Says

The U.S. Department of Health and Human Services won't be able to meet a court-imposed

Reed Elsevier
S&P Global Inc.
Samsung Electronics Co. Ltd.
Southern California Edison
Texas Rangers
Twitter Inc.
U.S. Chamber of Commerce
Uber Technologies Inc.
United States Steel Corporation
Verizon Communications
Wayfair LLC

GOVERNMENT AGENCIES

Agua Caliente Band of Cahuilla Indians
Bureau of Indian Affairs
Bureau of Labor Statistics
Bureau of Land Management
California Department of Insurance
California Environmental Protection Agency
Central Intelligence Agency
Cherokee Nation
Congressional Budget Office
Consumer Financial Protection Bureau
Executive Office for Immigration Review
Executive Office of the President
Federal Aviation Administration
Federal Communications Commission
Florida House of Representatives
Indian Health Service
Internal Revenue Service
National Aeronautics and Space Administration
National Highway Traffic Safety Administration

deadline to clear a backlog of Medicare billing appeals unless it settles the claims without actually seeing if they have merit, the agency told a D.C. federal court Monday.

Trump's Rule To Stabilize ACA Draws Praise, Warnings

The Trump administration on Tuesday heard vastly different perspectives on its ideas for stabilizing Affordable Care Act marketplaces, with consumers, insurers and regulators diverging on proposals for restricting enrollment and easing network oversight.

MEDIA & ENTERTAINMENT

MLB Execs Testify As Ballplayer Smuggling Trial Continues

An agent and a trainer accused of helping smuggle Cuban ballplayers to the United States commenced their defense Tuesday by calling Texas Rangers General Manager Jon Daniels and other baseball executives to testify at their federal trial in Miami after the judge rejected their motions for acquittal.

Fla. Court Declares State Lottery Contract Void

A Florida judge handed the leader of the state's House of Representatives a win Tuesday by declaring the state lottery department's 14-year contract for ticket vending machines void because the department did not get legislative approval first.

TRANSPORTATION & INFRASTRUCTURE

Norwegian Air Can Intervene In DC Circ. Air Permit Row

Norwegian Air Shuttle ASA's Irish subsidiary can intervene in a suit brought by a coalition of pilots and flight attendants unions challenging the U.S. Department of Transportation's controversial decision to grant the airline a

National Labor Relations Board
National Railroad Passenger Corporation
National Security Council
Office of the Director of National Intelligence
Pascua Yaqui Tribe
Securities and Exchange Commission
South Dakota Department of Revenue
Tennessee Legislature
Transportation Security Administration
U.S. Attorney's Office
U.S. Department of Defense
U.S. Department of Energy
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Housing and Urban Development
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of Transportation
U.S. Department of the Interior
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Office of Personnel Management
U.S. Railroad Retirement Board
U.S. Senate
U.S. Supreme Court

foreign air carrier permit, the D.C. Circuit has decided.

DC Circ. Asked To Halt Santa Monica Runway Reduction

General aviation groups asked the D.C. Circuit on Monday to halt Santa Monica's plans to shorten its airport runway to shut out jets as allowed under the California city's approved plan to close the airfield by 2029, a pact with the Federal Aviation Administration that airport proponents argue is legally invalid.

Unions Slam Railroads' Bid To Preempt Mass. Sick Leave Law

A group of labor unions that represent railway workers told the First Circuit on Monday that a lower court wrongly deemed a Massachusetts paid sick leave law to be preempted by federal law, as the latter was designed to preempt only laws that would duplicate longer-term disability benefits.

EMPLOYMENT

6th Circ. Denies Rehearing On County's Right-To-Work Law

The Sixth Circuit on Monday declined to revisit as a full body a November panel ruling that a Kentucky county's right-to-work ordinance is allowed by the National Labor Relations Act, leaving the door open for local governments to enact such measures where no statewide law exists.

PRIVACY & CONSUMER PROTECTION

Gretchen Carlson, Dems Push Bids To Ax Forced Arbitration

Former Fox News anchor Gretchen Carlson and a group of Democratic lawmakers pitched legislation that would keep mandatory arbitration clauses out of employment and other consumer contracts, saying at a news

conference Tuesday that arbitration protects corporations from facing their ills.

INTERNATIONAL TRADE

Senate Panel Will Examine US Trade Rep Nominee Next Week

The Senate Finance Committee on Tuesday announced that it will hold a hearing on March 14 to consider the nomination of Skadden Arps Slate Meagher & Flom LLP trade attorney Robert Lighthizer to serve as the next U.S. trade representative.

TAX

SD Sales Tax Law Edges Closer To Hearing In Top Court

A South Dakota law imposing sales taxes on certain out-of-state retailers inched closer to the Supreme Court on Tuesday when a state circuit court tossed a lawsuit to compel online retailers to pay the tax, finding the suit fails as a matter of law.

Pa. Auditor Says Marijuana Can Help Close Budget Shortfall

Pennsylvania's auditor general called for the full legalization, and taxation, of marijuana Monday as a way to tackle the state's projected \$3 billion budget shortfall and to address the social and fiscal costs of policing the drug and pursuing criminal charges against users.

Water Agency Can't Revive Challenge To Tribal-Land Tax Rule

The Ninth Circuit held Tuesday that a California water agency was not injured by a federal regulation it argued might keep it from collecting certain taxes and fees from non-Indians who lease reservation lands, affirming the toss of the agency's challenge.

IMMIGRATION

Trump's Hiring Freeze Doesn't Touch Immigration Judges

President Donald Trump's recent federal employee hiring freeze does not affect federal immigration judges, the Executive Office for Immigration Review has said, marking the latest clarification on how the president's budget-cutting agenda will be implemented.

Immigration Group Wants In On Visa Rule Challenge Suit

An advocacy group for high-skilled immigrants has asked to intervene in an appeal at the D.C. Circuit brought by Save Jobs USA over a decision upholding a new rule that would allow spouses of certain H-1B workers to apply for employment authorization, saying the rule was validly implemented but may no longer be defended by the federal government under President Trump.

NATIVE AMERICAN

Tenn. Judge Nixes Native Groups' Suit Over State Recognition

A Tennessee federal judge on Monday tossed a suit by three Native American groups claiming the state violated their constitutional rights by reneging on a state commission's decision to recognize them as tribes, saying Tennessee hadn't waived its Eleventh Amendment immunity to those claims.

TELECOMMUNICATIONS

Trump Renominates FCC's Pai To Continue As Chairman

President Donald Trump has nominated Federal Communications Commission Chairman Ajit Pai to a second term at the agency, the commission announced on Tuesday.

Analysis

FCC's Robocall Plan To Benefit From Rare Bipartisanship

Federal Communications Commission Chairman Ajit Pai's planned proposal to expand the tools for combating illegal robocalls builds from a President Barack Obama-era initiative, and experts say it's expected to gain rare agreement across party lines and between government and industry.

Broadcasters Ask FCC To Make Post-Auction Deadline Flexible

The National Association of Broadcasters has urged the Federal Communications Commission to make its timeline for repacking broadcasters after the incentive auction flexible, saying viewers could be at risk of losing service.

EXPERT ANALYSIS

Shining A Light On GOP Plan For Health Care Reform

Since the election of President Trump and Republican majorities in the House and the Senate, there has been a strong push to repeal and replace the Affordable Care Act. However, there has been little detail as to what "repeal" or "replace" actually mean. Recent developments provide some clarity, say members of Debevoise & Plimpton LLP.

The Need To Preserve And Expand Tribal VAWA Jurisdiction

Given the new administration's penchant for rolling back progressive civil rights and social justice victories achieved under the Obama administration, the fight to reauthorize the Violence Against Women Act looms large. VAWA provides crucial protection for Native American women, who are victims of violent crime more than any other demographic, primarily at the hands of non-Natives, says Becky Howlett of Kilpatrick Townsend & Stockton LLP.

NY Employers Can't Avoid Overtime And Minimum Wage Regs

When a district court judge in Texas enjoined the U.S. Department of Labor's federal overtime rule last year many employers breathed a sigh of relief. However, there are many states, like New York, that have expressed a real intent to fill the void and make sure that labor protections continue, say Joshua Zuckerberg and LaKeisha Caton of Pryor Cashman LLP.

LEGAL INDUSTRY

Largest Firms' Rates Pull Further Ahead Of The Pack

The split is growing between partner billing rates at the largest law firms and the lower tiers, even at other relatively large firms, a report based on 2016 billing data has found.

Morgan Lewis Launches Remote-Work Option For Associates

Morgan Lewis & Bockius LLP on Tuesday announced a formal remote-working program for associates.

Ex-BigLaw Atty's Pfizer Tip Shared Among Friends, Jury Told

The trial of a former Hunton & Williams patent partner who allegedly leaked inside information about a Pfizer deal continued Tuesday as a cooperating witness who pled guilty to trading on the intel told jurors the details about how the tip ended up in his hands — and how it was eventually discovered.

Dewey Star Cooperator Set To Take Stand At Fraud Retrial

The former director of finance at Dewey & LeBoeuf LLP and star cooperating witness for the government is due to take the witness stand Thursday in the retrial of two top Dewey executives accused of running a massive accounting fraud scheme at the firm.

Cleary Gottlieb Raises UK First-Year Pay To £120K

Pay for Cleary Gottlieb Steen & Hamilton LLP's first-year London associates continues to rise, with salaries climbing from £96,000 in 2015 to £105,000 last year and finally reaching £120,000 this month, a firm spokesman said Tuesday, putting its associates among the top-paid first-year lawyers in the U.K.

JOBS

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Sent: Wednesday, March 8, 2017 3:47 PM

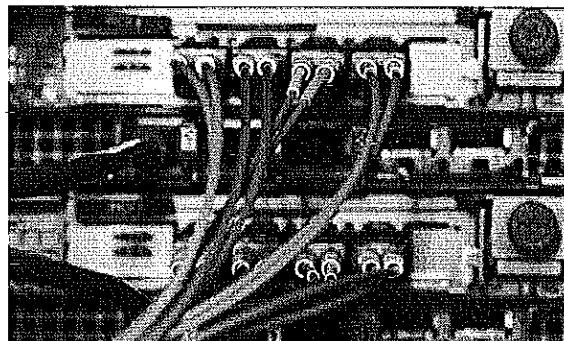
To: Rep93

Subject: See What's Happening at the ALEC Spring Meeting!



Have you heard...

The ALEC Communications and Technology Task Force is excited to hear from Commissioner of the Federal Communications Commission, Micheal O'Rielly. Commissioner O'Rielly comes from an extensive background in banking, technology, transportation, trade and commerce issues. You do not want to miss this!



Be on

**Registration
Annual Meeting
on April 3.**

Save

**Annual Meeting
Denver, CO**

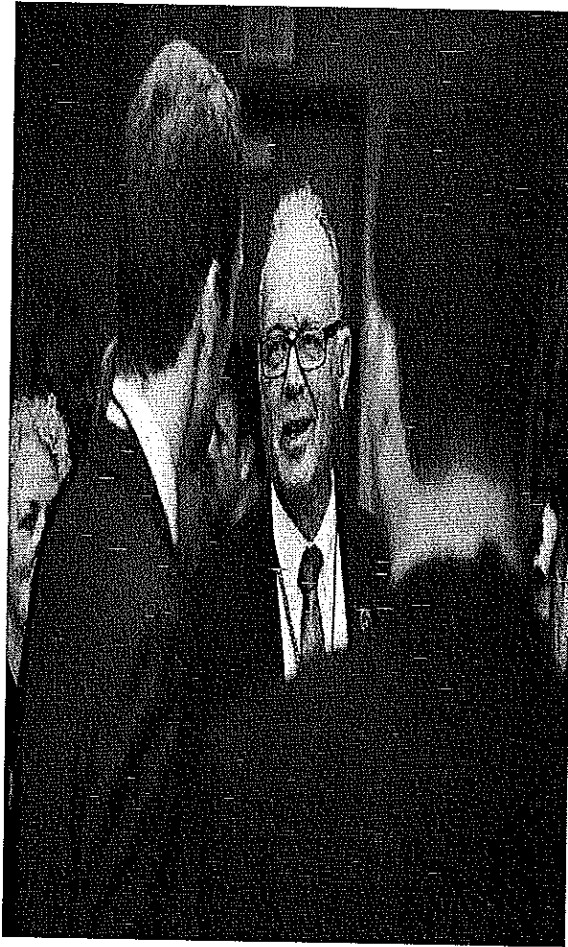
**States and
Summit
Nashville, TN**

Get there early...

ALEC is excited to host a reception for our Center for Innovation and Technology. Grab your badge and join us before you hit the town for dinner on Thursday, May 4 from 4:30 PM - 6:00 PM at the hotel.

Have

Contact o



Still need to Register?

Hurry before our early bird pricing ends on
APRIL 4!